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THE SUBSTANCE AND VISION OF HISTORY<sup>1</sup>

THE numbers of those beings which throughout countless ages the biologist calls men because of structure, function, and outward semblance are at best small; and of these still fewer, a little minority, attained either to self-knowledge or to the power of writing any expression of it, to noting and communicating reasons for conduct. And of this little minority our only trustworthy account, very imperfect at that, covers at most the short space of ten thousand years. Within such narrow boundaries lies the field of history!

The very designation of our discipline cannot be defined: its etymology (*istoria*—investigation) makes definition impossible, while labored explanation merely confounds confusion. We are utterly at variance as to either its genus or differentiae. Accordingly in this generation we have largely abandoned the concept of scientific history prevalent forty years since; the history students of scientific aspiration have impatiently discarded their very name, they announce themselves as investigators of international relations, of political science, of economics, of sociology, of many disciplines, every one of which has a certain definition but nevertheless is in all its ramifications a part of the general field once known as that of history.

This process is regarded by many of us with dismay. For this there is some reason, though not much. The innovator is always contemptuous of the rock from which facts, old or new, are hewn. But new methods cannot displace old learning. Whose history does he use in his science? Where does he get his facts? These are poignant, pregnant questions. The political scientists announce a return to the method of induction in their study, but it appears to many that they play fast and loose with the determination, statement, and meaning of the facts which are their subject-matter. One

<sup>1</sup> Annual address of the president of the American Historical Association, delivered at Buffalo, December 27, 1911.

of the foremost among them has recently found the seat of original political sin in the divison of powers attempted under our Constitution, and so explains the consequent clash as inevitable, a deplorable result, which is remedied by bribery and corruption. His millenium is the blending of executive, legislative, and judiciary. Was Robert Walpole, the "jockey of Norfolk", a saint? He certainly mixed, confused, blended all three.

Another equally famous writer on the economic side has forgotten all the race, religious, traditional, and social differences between official England and her American colonies: so he finds the American Revolution to have been solely caused by trade rivalry and contentious merchantry. As for many other economists and the so-called economic interpretation of history, their procedure has been as purely theoretic and deductive, and arid, as was for long the most of their science, which passed merrily from phase to phase of dogma, each generation rejecting the "immutable" laws of the preceding, laws that turn out to have been nothing but vague generalizations from a state of society already passing into eclipse. The history of the sociologists is oftentimes so shallow and superficial as to be amusing, a tale narrated with serene unconsciousness of later, fuller knowledge, and composed in the light of a predetermined theory. It is a perplexing joy to read the certitude with which one of them juggles with so-called Anglo-Saxon feudalism as if the period had been investigated and were thoroughly understood; another interprets the least-known periods of history in the light of class hatred.

But all these dangers are slight because so manifest; and the rather noisy inventors of systems and doctrines have had their day. There is emerging a political science (politics) which is historical, an economics which is genetic and modestly disclaims all but its own share in the social movement, a sociology (sociologics) which admits its limitations to a very small portion of the very small field of true history. On the other hand, for the adventurous, there are the great and vast expanses of prehistoric archaeology, of anthropology, of geologic palaeontology, of animal and social psychology, within which these embryo sciences disport themselves to their own contentment, and, as far as they reveal themselves, to the instruction and sometimes to the intelligent amusement of historical students, or to the delightful bewilderment of a hardworking curiosity.

So far, therefore, from feeling unease we, who still rally under the banner of history, should more hopefully and confidently than

ever devote ourselves to the abundant harvest still to be reaped in our own standing corn; we ought cheerfully, gladly to accept the idea of historicity, to modernize ourselves and keep step with—no, outstep, the rather self-important specialists now declaring their independence; the amusing independence, it must be said, of children living on a handsome allowance from their parents.

To modernize history, to get and keep in the van, we must have recourse to two expedients: the first, a self-denying ordinance, the second, a graceful surrender. We must discard into the rubbish heap a series of thought-expedients which have done veteran duty and will not even now go on the pension list or be relegated to oblivion. Those of us who have merely finite minds are helpless before those who deal with the infinite, as it were, and who assert that the entire past is historic; that no savage ever scratched an outline on a flat stone, chipped a flint, or gnawed uncooked flesh off a bone, or gorged on shell fish and slept off the cold debauch huddled promiscuous with other man-animals in a cave for warmth, without each of these amazing incidents, or a million others, leaving behind it an historic residuum for the foundations of civilization. Then there is the infinite complexity of habit, of worship, of family, of institutions, of rudimentary politics. On these topics there are libraries of inconclusive literature, suggestive enough, but as yet proving nothing.

In very truth some of us are disenchanted at the results of Darwinian, Spencerian, evolutionary thought. Things in the natural and moral world have indeed seemed as if there had been and were still under way a process of becoming, as if lower forms of life gave rise to higher in a direct, immediate, operative causation and genesis, as if man were the resultant of all his ancestry with remnant survivals in body, soul, and spirit, of biologic traits from the amoeba, through all the orders down to the anthropoid, to the pithecanthropus, and what geology styles man, the punaluan man, the polyandric man, the polygamous man, the monogamous man. These are glittering seemings and suggest truth as pyrites suggest gold. Yet at the present hour, as always, there is not one single instance known of a transition between genus and genus, species and species, organic and inorganic, vegetable and animal, not even of race to race among men. Evolution does not bridge the chasm between appearance and thought, between the organic and inorganic, nor between the form becoming, which is nature, and that complete, which is reason.

Moreover a valuable biological concept is not necessarily worth

anything in history and the system which cannot account for conscience—as Huxley admitted—either individual or collective, can have no value in mass psychology, in explaining that succession of ideals which underlie all national behavior in every sphere. The fixity of things on the side of natural science has been shown forth more rigid and obdurate than ever by the earnest efforts of the ablest men, with boundless resources for investigation, through nearly a generation and a half of human life, men bent on finding exactly the reverse. With a consciousness such as this, doubly vivid in the case of the humanities, the unsapped energy of many in our field, both historically and evolutionally minded, has led to the sectionalizing and specializing of our discipline in the hope that, like the curate's egg, parts at least may be good enough to stand the test of Darwino-Spencerian thought. Nothing is so hard on intellectual pride as the discarding of laboriously constructed dogma.

Is there a better way? Yes. Let us drop that utterly hopeless infinitude of causation, both backward and forward, which the historically omniscient, pseudo-scientific polymaths so learnedly commend to our attention. "*Quel plus sur moyen*", said Rousseau, "*de courir d'erreurs en erreurs que la fureur de savoir tout!*" The task as they state it is hopeless, and were it even capable of performance, the result, however bulky and massive, would be pointless in its results, inducing nothing but complete exhaustion. Nor can the work be performed by the division of labor, a specious device. No two men can possibly approach a small and limited enterprise in the same way without guidance from without and above.

The immense contrivances of trade, education, and government by which the world's work gets itself done to-day do not refute this proposition because somewhere in them each is a leader, contriver, ruler, with an immense salary paid for exceptional ability, and all the rest are clerks. Historical students, worthy the name, will never be clerks, never. They gallantly struggle for subordination in our bulky series books, the publication of which is a present-day phenomenon, and what happens is that the editor-in-chief becomes an almost impotent text-critic and reviewer. The affairs of the mind and of personality are conducted in history and must be, by a system inversely deductive, the contrary of that by which material affairs, scientific, commercial, or institutional, secure their prosperity.

Of course there are the vertical lines of division which endeavor to mark off cantles of the historic field for specialization, within each of which divisions an independent scholar may be sedulous and



successful. Supposing such workers to be soundly educated and properly equipped, daring but possible hypothesis, the result of their labors must be the material of the historian. He dare not disregard the studies and conclusions of specialists, their investigations and narratives, regarding the movements of human life. social, economic, governmental, military, diplomatic, linguistic, scientific, numismatic, medical, religious, literary, or whatever facet of man's activity may be turned to the examiner.

Frankly and freely accepting these conclusions as authoritative (and there is the rub of the matter), the historian may so far rid himself of the load of omniscience which would crush his own unbraced shoulders and loins, of the infinite detail which beclouds any finite mind, even the most discerning and discreet. To apprehend readily, to reason clearly, to judge correctly, the greatest intellect must have a finite case; for a mind to pass beyond its comfortable capacity and do normal work is impossible: there must be faith in others, confidence in their integrity and judgment. This is the first great step; the renunciation which, under existing conditions, we have to make, if we would clear the way for effective action; to wit: drop into the abyss of oblivion the load of personal omniscience and the distrust of the secondary authority or, in other words, of the results reached by faithful, honest specialists. Nothing is harder or more distasteful than this, because it wounds our pride.

The second act of renunciation which we have to perform does not so crush our spirit, but it is very, very hard because of the chains of habit. The terminology of history as hitherto written has become most confusing, because it is now meaningless. To illustrate, take a very recent example indeed; history is not past politics nor politics present history. We know with the reason that past religion, past social organization, past economics, past ambitions and thirst for power, past dogmas of secular belief, that all these enter into history, over and beyond politics in its narrow sense of government and administration; or, to invert the statement, we now recognize that politics, past or present, is the resultant of these forces and many others, too; in certain proportions at one time, in very different ones at others. Furthermore, whether or not there ever was one, there is not now a state-system in the sense given that term by Macaulay; there never was a balance of power, nor a tangible nationalism, nor a purely constitutional régime. There never was and is not now a Monroe doctrine, settled and fixed, either in the form of treaty, statute, axiom, or even maxim.

The moment any of these historical derelicts, once phantom

vessels driving, not like the *Flying Dutchman*, into the storm, but before it, struggles to get itself realized into law or even merely formulated, the process is promptly stopped, sometimes by diplomacy but also sometimes by war. But like the legend, the myth, and the fairy tale, this sonorous phraseology is much beloved. Indeed, these sounding words are the cherished jewels of political thought and journalism among the intelligent masses; and even the initiated, to whom I address myself, still find it easier to use the old, vague, inaccurate words than to invent and employ new and correct ones. Such invention, to be sure, is probably impossible; vocables are tenacious of life, and usage determines their sense and spelling alike, their pictographic values. But what is not impossible is that in our teaching and writing we should emphasize the new concepts which underlie the old phrases. The invention of a political stalking-horse has often been a more far-reaching achievement than the successful conduct of a great military campaign. "La politique consiste souvent dans le mensonge, et l'habilité est de pénétrer le menteur", said Voltaire. To what extent the terms of politics have been masks, in modern and contemporaneous history, we must settle, and having distinguished, abstracted, separated, examined, generalized, it is our exciting duty to put down the mask, if it were one, and show the personages behind it, in their hunt for money, glory, power, whatever impelled the "somebodies" of history and enabled the popular sentiment so to react as to give them support in their enterprises. This form of renunciation is therefore doubly difficult in that it demands untiring labor and an apostolic conviction in us if we are to secure persuasion in others, and reconquer the high place in the general esteem once held by history.

If we renounce the negative past and its study, if we renounce the fields of omniscience beyond the all-surrounding flood of human limitations, if we renounce antiquated concepts and catch-phrases, if we renounce the pride of self-sufficiency and the vanity of doubt, accepting the results of work done by other minds, we shall simply be doing what humanity has done at every stage of movement, relegating our rags to the rag bag, our rubbish to the rummage chamber, our trash to the ash heap. Dear me! yes; but how shall we recognize the rags, the rubbish, the trash? What some have so considered, proves with careful examination and at another time to be treasure. For this difficulty, as for so many others, there is a remedy, a prescription. Among the permanent gains of recent historical study is the useful doctrine known as the Unity of History. To us it is commonplace that in our ten thousand years of

historical record—more or less complete—there is no gap, no chasm, no abyss, that the continuity is complete if only we can discover it. Furthermore, from the days of Heeren onward we have known that what he proved as to Roman history, to wit: that we could not apprehend it without some clear knowledge as to Carthage, Persia, and Gaul in particular, and generally as to all the historical entities contemporaneous with it; we have known that this is equally true of history before Rome, of Greek, of Egyptian, of Assyrian, of Babylonian history, and of history since Rome, medieval, national, and contemporary imperial history. This meaning of the phrase Unity of History, the horizontal over against the vertical, is one which in our present state we have to emphasize until we discover by the sheer force of iteration, if in no other way, that it may transform all our activities. What is the “discard” of history? Ask, first of all, the age immediately preceding and reason backward from what you do know and may know to what you did not, but can now know. Study history transversely and horizontally, so to speak, as well as chronologically, and you will learn the relative values of contemporary forces, sufficiently at least to conclude what corresponding ones were in the past, near or remote. It is the merit of sociology to have taught us this.

Two things the public demands, the truth and the truth told entertainingly. Everything else it will sooner or later flout. Not only is there no harm in this demand, it is a righteous instinct; an artistic instinct, if you will, but righteous for all that. Sacred writers commend the beauty of holiness, that is, holiness because it is beautiful. There must therefore be a holiness of beauty. The historical writing which is not immediate, concrete, poignant, direct, proportionate, and clad in stylistic, attractive garb may have some present vogue but it is foredoomed to quick oblivion. Why therefore bother with it? Specialists know how to write their respective histories very well indeed: histories of philosophy, of religion, of economics, of various sciences, of all the multitudinous activities among men in thought and deed. In writing any such history they begin with their theme, its limits and its definition; exhaustive study takes them further and further afield, and forces them to take account of political, military, governmental, and administrative affairs.

But they begin with a very concrete and comparatively limited theme, to which the most successful writers return and return so continuously that, like the shoemaker, they earn the distinction of sticking to their last. The claim of absolute impartiality and the wide open mind is not much different from a claim to idiocy. Not

one of us wanders into the wilderness of events "um nichts zu suchen". What went ye out into the wilderness to see? Neither trifles, reeds nodding in a breeze; nor accomplishments, fine clothes and fripperies; but that which is hard indeed to find, a prophet. We go forth grimly determined to get a line on things, truth about facts and events, and the meaning of that truth. Talk of the "clean slate", "the house swept and garnished", "the fertile plot without plants": ready for the true writing, for the virtuous inhabitant, for the good seed. These are phantasies, interesting and important, but phantasies. We go forth, every one of us, with a mind furnished, ill or well furnished, but furnished, either with positive purposes or negative prejudices. And according to that equipment we seek what we want and we find what we seek.

Our greatest satirist has said that there is something fascinating about science; for a trifling investment you get such wholesale returns of conjecture. Likewise there is something fascinating about pessimism, we must admit; for a trifling investment in a mere vision, an ideal, we may indulge in such stupendous luxury of faultfinding and abuse, of self-righteousness, of vanity. The fancied better world which the pessimist contemplates by way of contrast with this is of course a chimera and, like that fabled beast, perhaps leonine to face and spitting fire, but goatish and rank in the midriff and utterly inefficacious in its caudal rear, an incongruous notion of his disordered fancy. Distinguishing the Hellenistic age of sensuous beauty, the Roman age of glory, the Christian age of faith and dogma, the modern age of enlightenment so-called, the coming age of reconstruction and socialism, it prepares us in this idea of all-government for disillusion and dissolution, to end in the golden age of Silence and Blank. This is Hartmann's religion of intelligence. To this the brilliant thinking of many among our advanced historians is directed and with considerable success. But this luxury we must likewise forego. It is the categorical imperative that history should be impartial: not the historian, he can only approach impartiality, but history must have no thesis nor be used to maintain one. The ermine of pessimism is not for history.

From this rather unpleasant task of disrobing, putting off the finery of old clothes and the jewelry of old heirlooms, aristocratic as they appear and ornamental too, let us see what positive position we may take, what new garments we may put on instead. They are not one but many because every negative so far indicated may be forced by skilful hands to furnish a positive print. As the best illustration of substituting for a dreary negative something at least

more positive, if not more comforting, I have chosen one which seems convincing. In selecting it there is the act of surrender to which I referred at the beginning, because it is an outline of what Droysen called *historics* within a portion of our field, small and distant but for that reason better capable of dispassionate examination. In this we follow the example of the material scientists, suggesting at least the idea of an historical laboratory and of exact results. In an effort to adapt method and matter from the rather contemptuous matadors of natural science, there is some humility and some chivalry: there is likewise the acceptance of special erudition and its adaption from modern French and German work, especially that of Seeck to which special indebtedness is acknowledged.

The latest criticism of history as a scientific discipline is identical with the earliest: it is that history cannot predict: it can establish facts and not laws. Let us frankly accept the test, but first let us consider for a moment the whole subject of natural laws as established by natural science, that is the uniformity of material nature as set forth in natural law. Uniformity without qualification is a misleading exaggeration. The most exact of the exact sciences are chemistry and physics, of these astronomy is agnate, and of astronomy meteorology is a department. What uniformity of nature makes possible weather prediction? Then let us consider science in relation to organic life; especially in the most important of all its relations, that to human life, or medicine, where the claim to prediction has so far been amusing. The retort springs to the lips: Give us more knowledge and we will secure an approach at least to prediction. This is exactly what the historian claims and, as we shall see, his approaches to accuracy are at least as near as those of the physician or the weather man. Is it not absolutely fair to say that only in so far as the exact sciences deal with identical materials under identical conditions do they approach exactitude?

In the next place even the tyro knows that distinctions once regarded as basic no longer exist, as for example, the various kingdoms of mineral, vegetable, animal; even the line between organic and inorganic, though not obliterated, is in places rather dim. Radiology is pretty hard to explain by the sacred law of the conservation of energy. Indeed according to the latest and highest authority, Planck of Berlin, both the kinetic and energy theories must in consequence be totally reconstructed: the new substitute, that of relativity, rocks the German world of science to its foundations. No mathematical formula exactly expresses the law of gravitation; the Ptolemaic system explains the facts of the universe almost, if not quite, as well

as the Copernican; there are still some very acute investigators who think in terms of devolution quite as successfully as those who employ evolution as a framework. Indeed, what is the prevalent pessimism, if not devolution? These are not quibbling considerations, not at all. Honor in the highest to the achievements of natural science, but equity too: in the group of sciences claiming to be most exact, there is at best but a more or less close approximation to law and prediction, a higher or lower degree of probability.

This pregnant truth is quite as true and even more striking in regard to biology and all its departments. Some twenty years ago there was bitter strife between the older natural science and the young knight of biology which leaped so debonair into the arena, demanding endowments and laboratories more costly even than the splendid palaces of chemistry, physics, and astronomy. Within this generation they have composed their quarrel and have concluded an alliance, offensive and defensive. But with what a surrender! the admission of a new meaning for natural law, the opening wide a door for such conjecture and such hypothesis! daring, limitless, vague, metaphysical to a degree never suggested by the humanities.<sup>2</sup> The meanest object which lives, vegetable or animal, lichen or earthworm, has a life and destiny all its own: we do not appear foolhardy in doubting whether any two cells, even, among the millions which form the thousands of leaves on any tree, are identical one with the other. The material of biology is individuals and these are just as hostile to universal rules as men and women. The laws of biology are fundamentally different, therefore, in scope and kind from those of chemistry and physics; yet no one denies that they are laws.

Take the famous and universally accepted law of natural selection—struggle for life and survival of the fittest—as an example. Helpful as it is in the study of life and the explanation of existence, immensely helpful as a principle, there is, in the first place, no mathematical formula for it; it is a law, but no prediction can be based on it and, worst of all, it requires no proof that an appreciable proportion of the unfit do survive, and of the fittest do not. This is a fact of the physical universe, not to mention the moral; using that word in its embryonic sense. Suppose that, of a hundred thousand fit, ten thousand survive and that, of a hundred thousand unfit, but a single hundred survive—and this is a very mild statement of what natural science admits as due to chance, whatever that may be—some factor beyond finite human grasp we may suppose—yet even in a

<sup>2</sup> Driesch, Bergson, etc., the metaphysical, vitalistic, speculative school opposed by Wilson, Bateson, Osborn.

case so extreme as the one we have cited, prophecy as to survival is impossible. Both the attraction of gravitation and the survival of the fittest are admittedly natural laws: the former is far nearer the line of absolute uniformity than the latter, though neither reach it. Radioactivity demands a radical modification of the concept underlying the phrase: conservation of energy. Fairness demands the admission that the test of prophecy throughout the universe of nature is relative, a question of probability.

Have we to come further down the ladder to apply the test of prophecy to history? Not much, if any. What else than prophecy is practical politics, statesmanship, as working in the past and all about us? A sporting man would even back the ward politician as against the weather prophet. So humble, but so useful a public servant knows human nature in its stable quality and unstable behavior with amazing accuracy when it comes to reckoning the strict party vote, the independent vote, and the venal vote; and his calculations are uncommonly reliable. But why is the meed of supremacy so universally awarded to the statesman as the king of men? Because he secures legislation and forms policies upon the basis of historical research, because from these he prophesies and secures results quite as often as similar predictions come true in natural science. This is the stable element in government, highest of human activities. Just as the more a meteorologist knows of temperature, wind, barometric pressure, and hygrometry, the more exact is his foretelling, so the more ministers and lawmakers know of history, the more trustworthy will be the operation of what we call ethical principle as set forth in human laws. Chance counts for just as little in statesmanship as in medicine. Humanity is, after all, a part of nature; there are human natural laws quite as really as there are material natural laws.

Ranke told us we must be content to determine "*wie es gewesen sei*", how *it* was; but neither he nor his followers made any serious effort to define the *it*, to fix the limit of investigation. how *what* was. We have searched the parish registers to determine the birthday of Oliver Cromwell or gathered information about that of Abraham Lincoln: side by side was just as accurate information about the appearance on earth of Henry Longworth, or of Francis Marden. To these rude forefathers of the village we are indifferent, to the other facts we devote ourselves. Those were historical characters, these were not, worthy as they may have been in their lives. Some facts are pregnant of historical results, other are not. Common-sense and instinct for the most part tell us what *it* was that is worth investigation, and what *it* was that is not. The search for pregnant



facts means the tracing of cause and effect, which is the establishment of law, natural or historical, statutory or otherwise, law in any of its widely various meanings. This is philosophy: Why are things as they are?

The highest and most delicate compliment which the natural sciences pay to history is the adoption of the historical method. It is within our own memories that they began to take stock: to ask where are we and how did we get here. This very striking fact is epochal. The wonders of the far-distant ages must be scrutinized for its parallel. The Greeks knew the amazing changes of the sixth century B. C. and we do not; in the fifth they began to take stock, to search for the foundations and the discoveries of things. Hecataeus found the phrase in his famous "*κτίσεις καὶ εὐρήματα*": the rise of city states, but also of the tribes, clans, and families within each, genealogy was history: on this foundation or basis were the "discoveries and inventions", the introduction of custom and law under which order was maintained. The first philosophers were natural philosophers. Thales derived the world from water and Heraclitus from fire: equally naïve and childish is the genealogy of the Greek people: deluge, then Deukalion and Pyrrha, who begat Hellen, the sire of Aeolus, Dorus, and Xuthus, father of Achaeus and Ion, in consequence you have the Aeolians, Dorians, Achaeans, and Ionians. There you are; could anything be more simple and complete?

Yes, natural history and human history were alike childish but—they were significant of the same passions for origins as dominate the scientific mind to-day and they showed the way in manly fashion. They fixed the goal of both science and the humanities: Account for what is, reject what has no bearing on things as they are. This is exactly what the scientific men of to-day who write the history, that is trace the genesis of their science and its advance, exactly what they do and, in so doing, they are an example to us. They do not range the universe, but carefully delimit their field, nicely defining their subject and sensibly eschewing omniscience, a foible to which long ago they were much given, as much given as are those of my colleagues to-day who range so far afield in search for novelty that, suddenly caught and questioned, they shamefacedly confess that history itself is of slight interest to them and guess that perhaps there is no history at all. Here we owe and acknowledge a boundless debt to natural science, and as we have accepted and answered, convincingly we hope, their challenge as to the test of prophecy, let us turn briefly and consider history writing both genetically and exegetically.

In secular history Hecataeus was our Newton. What he knew and stated, *viz.*, that history was concerned not with the past as a whole but only with so much of it as accounts for the present, this is the character of our discipline. Herodotus found his predecessors dull and prosy and wilfully forgot their position. He announced it as his task to make known glorious deeds as the heritage of his people, and to this he devoted himself. The aim of snatching from oblivion great men and their actions as a stimulus to posterity was not scientific, but it was educational. History as written to-day, and especially as taught in the schools, never loses sight of this use for history, not for a moment. Thucydides has the supreme merit of writing in one narrative the explanation of the present and the recording of glorious deeds as a possession forever (*κτῆμα ἐς αἰεί*). He is as scientific as Hecataeus and as absorbingly interesting as Herodotus. Why was this possible? Was it a stroke of that underived thing we call genius? Not entirely.

At this point there is again a rather striking parallel between old and new. Teachers are not much given to counting their mercies, but there is one inestimable privilege we enjoy, that of associating with colleagues in other lines on terms of intimacy. From the conversation and monographs of scientific men the fact emerges that the limit reached in their means of research is exasperating. The telescope and the microscope permit the sense of sight to go only so far: the profane say that in the photographs of Mars striations are due to imperfections of arrangement in chemical atoms on the photographic plates. The instruments of precision in physics are too small; and untrustworthy beyond a certain point. Chemistry too has its troubles and mathematics requires new stuff for further advance. Natural science tends to metaphysic on one side, to industrial and mercantile applications on the other.

In a rudimentary way the same thing occurred in Greece, only there the primitive means of research were so imperfect that natural science degenerated more speedily into sciolism. The mercurial and impatient Greeks were bored to extinction by the dull iteration and unfulfilled promises of natural science. Accordingly, when Socrates asserted that man was more interesting than nature and more easily investigated, since the instruments of research are within each of us, that conduct is an ultimate test and behavior easily observed, there was a sigh of relief and a hearty welcome for a human philosophy as a substitute for the natural. So it was that Thucydides found not merely a scientific but a moral element in history. So Polybius put the matter at a later date: Experience alone determines the effects of an action. This test is too hard, too tardy, too ruinous for the

individual in most cases. But history enables us to determine such effects without personal loss or suffering, and with great personal advantage. The experience of those who lived before us or are living with us in other spheres of action, shows what we may do and leave undone with advantage, or to avoid harm. We too are men, human nature is as persistent as material nature; like causes give like results. Then as now emerged in morals as in nature the test of science, the ability to prophesy.

If any buttress to this impregnable position were needed it could be found in a narrative far older than that of the Greeks: the cosmogony, the foundations, and the discoveries of the Hebrews as narrated in their and our sacred books. Those of other earliest peoples have been found and deciphered within a lifetime. One and all they record origins, foundations, discoveries: our own stand forth unique and convincing by reason of their moderation, proportion, and the better we understand them, of their plain, sound common-sense. A great divine of unquestioned orthodoxy says that they are a wonderful charcoal sketch of what might well have been. To the account of the creation, with whose general outline that of natural science fairly agrees as far as it has gone, there succeeds immediately a genealogical system exactly parallel with that of Hecataeus, only more reasonable because the names are mainly collective or gentile designations. The foundations having been stated, discovery and invention at once follow. Jabal is the father of herdsmen and breeders, Jubal of musicians, Tubal Cain of smiths, Noah of vine-dressers, Nimrod of hunters. The books of Judges, Kings, and Chronicles are the Herodotus of the Jews. In the moral lessons continuously extracted from the facts regarding persons and peoples we have the prototypes of Thucydides and Polybius. There is not the slightest proof that one such record influenced the other: on the contrary, since the Greek despised a barbarian as the Jew a Gentile, we may fairly draw the conclusion that on the higher plain of culture the procedure followed by both satisfies the universal want of thoughtful minds.

Much, very much of the history written before us is dead, and a good deal was still-born, then as now. What is still alive and is still read from the early days we have been considering until now will be found to contain all the elements enumerated. It either rescues noble deeds from oblivion for the emulation of posterity; or, it explains the present by just so much of the past as is needed; or it connects causes and results in human conduct so as to establish law; or more likely still it does all three in varied proportions. There is in it religion, philosophy, pedagogy, and science. It is but a

question of degree as to its scientific quality, and the element of science is steadily becoming larger in the composition. With physics turning into metaphysics, with chemistry turning industrial, and with biology confining itself to description—all alike declining either generalization or prophecy beyond the present stage, it seems possible and probable that the next scientific advance will be in history and the other humanities.

The laboratory of all science is antiquity. Nature is very, very old, and it is with nature, in nature, that natural science experiments. Physical laws are ubiquitous and omnipresent. The experimenter is the doubter and employs the little sample to test the huge mass; the infinitely little to measure the infinitely great. The results attained have been marvellous, but with advance the fallacy of this procedure suddenly appears and calls a halt. Scientific reality as measured by finite sense cannot go all the way; though we tunnel mountains to get bigger and bigger telescopes, though we scrutinize infinitesimal error by the test of mathematical formula, yet at a certain point, what is called the scientific imagination must be enlisted to guess the rest. These guesses for the future have enormous value and the value is exactly proportionate to the distance traversed in reality, the penetration into a far-distant past.

Why is this not equally true of a human discipline? It is. As nearly as an historian may have a laboratory, that laboratory is the earliest past. Hebrew has throughout the long ages been a spoken language for some few. Greek is a living tongue at this hour for more than eight million people. The Bible has been a vital force for five thousand years, Greek history for three. The examples of both have been the guide for many men in many ages; the last great cataclysm of modern history was in a measure due to young Bonaparte's devouring Plutarch's Lives. The concept of universal empire never perishes: at the moment there are five potentates who wear a title derived either from the Caesars or from Charles the Great. Our religions are Semitic, our philosophies Greek, our governments Roman, our art Chaldaean or Egyptian. We live, in spite of ourselves, in the longest perspective we can secure. Earth and man alike are besprinkled with antique dust; we emancipate ourselves slowly, agonizingly from the bondage of the past. Nothing is much harder than to commit junk to the junk heap, to feed the melting pot; one thing only is perhaps more difficult, to know junk when you see it. This is possibly the greatest achievement of the human mind.

In the laboratory of antiquity the historian has some manifest advantages, short as his perspective is. It is a laboratory in which all the experiments have been performed and the results only remain

to be interpreted. These experiments, moreover, were made not in the little but in the great; on a great stage, on a great scale, with a huge mass. If anything be petty it is the human vision and judgment, not the stuff and the apparatus. The nearer the facts, the greater the perplexity; the longer the perspective, the clearer our insight, the plainer are proportions and relations, the easier the interpretation. So complex has the world of civilization, the historical world, become that at first the ancients seem childish and simple. But the movement of multitudes, the dispersions of races, the discovery of proportion and discipline, the worthlessness of un-historic size and countless numbers when confronted by the trained, disciplined little bands of historic heroes firm in their convictions, courageous in their behavior—all this is not childish but mature in a maturity never since surpassed, if indeed equalled. Their poetry is our despair, their art our master, their history our model; and what after all are our inventions compared to theirs? The amazing idea of picturing not things alone, but sounds; of analyzing complex sounds into simple ones; the discoveries of navigation, of trading, of international relations in peace and war, of government in the large on the basis of common welfare, of federating states! These all are ripe products of great minds. In the historical perspective we behold the experiment completed and deduce results more permanent and practical than those of natural science, bewildering as they are.

In this laboratory of history there is found something even more tremendous: that strange intermingling of necessity and liberty which forms the web and woof of history. It was Plato who wrote the first of what have been called paper-states: having set the example, others have followed it in steady succession until in our day utopias swarm like buzzing bees. The utopia or "no where" commonwealth is everywhere. These ideals have always been of importance to nation builders—as important as the plumb-line to the mason—inasmuch as under their influence the worthless past has fallen as did the walls of Jericho before the ram's-horns. Untempered idealism, whether of philosophy, theocracy, or humanism, continuously works havoc; ruin and frightful desolations ensue. But this very poison is the tonic of history. If mingled in due proportion with historical evolution it has changed the man in slow advance by man's knowledge of himself, it has regenerated the pagan family, the heathen state, and the Christian Church. There must be change if there is to be improvement; it is experience and idealism in just proportion which produce reform without revolution, change without chaos. While thus in the ancient world we

see the will unfettered as to speculation, we likewise reach the conviction that in practice things are as they are by absolute necessity. What a discovery! We dare not rationalize politics but, on the other hand, what an anchor of hope it is that though the dreams of men are valueless in themselves, the deeds to which they have impelled were the source of an almost miraculous amelioration of all human conditions.

The climax of values in the historical laboratory is the promise of the future, prediction again. Amid the results of ancient experimenting, lines apparently parallel meet, negations become positive, the inexplicable is made clear. So those who succeed us will find the solution of what are insoluble problems to us: the problems of medievalism and the survival of its unfittest elements, the problems of modern and contemporaneous history in its blind gropings for what perspective will make clear. In the discarding of threadbare words and terms, in the rejection of material which explains nothing, in the shaking off of institutional clothes which are merely stage frippery and tinsel, we may contribute our share to the majestic experimentation of history; succeeding ages will see the simplification of our problems and their solutions, as we may and do the processes in the ancient world. Not one of our modern nostrums is new; they tried them all, suffered, and relegated them to the chamber of horrid memories. This we know. We know, moreover, that if the ancients talked like angels they behaved like devils. We used to idealize them, some few still do. But sobriety desires no return, not even to the age of Pericles; the craft, the guile, the guilt of a time splendid and glorious. We know at what a cost of ruin and disgrace and final annihilation Greek society purchased it. We prefer the better, sweeter, purer lives of mankind, the sanity and patience of higher existence: the halo has vanished, the nimbus has been dispelled. We realize that it is far more important to live and to struggle, to conquer, yes to be conquered, in an age that by example and warning has secured grander ideals, wider experience, broader and deeper knowledge. And what history has done, true history will do, scientifically, sensibly, temperately, *in saecula saeculorum*.

WILLIAM M. SLOANE.

## PRINCE HENRY OF PORTUGAL AND HIS POLITICAL, COMMERCIAL, AND COLONIZING WORK

### I.

THE crusading and proselytizing sides of the Portuguese expansion both belong to Catholic Christendom and to West European civilization, as a whole; they both appeal to that international side of medieval life which was so long maintained by the international Church. Like his pattern, St. Louis of France, like all the more spiritual leaders of the earlier Crusades, Prince Henry had devoted himself to the service of the great system to which all Roman Christians belonged, and which had both political and ecclesiastical existence.

But this movement involved other objects as well. He was not only a Catholic soldier and a missionary leader; he was also a Portuguese statesman and general, "always devoted to public affairs", steadily aiming at the increase of his country's power and wealth.<sup>1</sup> More than any other man he helped to guide that country towards an imperial position. His friends and followers, and even those who for a time opposed him, came at last, we read, to speak of him as "another Alexander". The first historian of his explorations exultantly doubts whether, since Alexander and Caesar, any prince ever had the signs of his conquest set up so far from his own land. And when one of his captains brings home some of the water of the Senegal, the same note is struck by the later *Chronicle of Guinea*, "I question if Alexander, who was one of the monarchs of the world, ever drank in his day of what was brought him from so far."<sup>2</sup>

With the Infant's father, Portugal's greatness had really begun; under John I. she had repelled Castilian invasion, created a new navy, and begun her conquests over sea. With the first step in these

<sup>1</sup> "Grande amor ouve sempre aa cousa publica destes regnos." His exertions in campaigning against Islam are treated as an immediate outcome of this patriotic statesmanship. "e assy se deleitava . . . no trabalho das armas, specialmente contra os inimigos da . . . fe". G. E. de Azurara's *Chronica do Descobrimento e Conquista da Guiné* (ed. Carreira and Santarem, Paris, 1841), ch. IV., pp. 23-24.

<sup>2</sup> "Outro Alexandre." *Ibid.*, ch. XVIII., p. 104; "Eu dovido, diz o autor, se depois do grande poderyo de Alexandre e de Cesar, foe algũ principe . . . que tam longe de sua terra mandasse poer os malhoões de sua conquista." *Ibid.*, ch. LXIII., p. 304; "E nom sey se Alexandre, que foe huñ dos monarcas do mundo. beboe em seus dyas augua . . . de tam longe . . . trazida." *Ibid.*, ch. LXXV., p. 353.



conquests, the storm of Ceuta in 1415, Dom Henrique was closely connected; if we may trust Azurara, the original plan of campaign was largely, the final victory mainly, due to him. Even earlier than this, in the last years of the fourteenth century, King John's war vessels, we have seen, were making descents upon Muhammadan coasts,<sup>3</sup> and Henry's work of exploration and conquest is apparently recognized by the founder of the dynasty as a development of his own. To the Infant, as to his father, the defeat of the hereditary foes of Portugal was a sacred and lifelong duty: this may be read in the death-bed exhortation of the first monarch of the House of Aviz.

Dom Henrique then was a leading member of a family which had saved Portugal's independence, and given her peace with honor, self-content and self-respect, good order, comparative prosperity, and the hope of a bright, even brilliant future. Several of his brothers were conspicuous for their gifts, their learning, and their taste; he and they together formed the brilliant group of noble Infants,

“Inclita geração, altos Infantes”,

of whom Camoens sings.<sup>4</sup> No royal race in Christendom guided with greater dignity, with higher culture, with steadier patriotism, the evolution of its people in that age of monarchical revival.

That Prince Henry, the “uncrowned prince”, whose court was so far more full of noble vassals than any other, was conscious of his national position; that he, whose palace was such a school of hospitality for all the generous spirits of the realm, played a great part in home politics, in the life of his own country, is clear enough.<sup>5</sup> His character, the originality of his policy and achievements, give him, especially from the death of John the Great in 1433, a distinct, defined place in the kingdom, parallel to, in a sense independent of, the royal person. His agency is powerful, perhaps decisive, in allaying the dissensions that follow the death of King Edward, and in establishing and maintaining the regency of Dom Pedro, as in overthrowing the same Dom Pedro when in revolt against the crown. As Duke of Viseu and Governor of Algarve,<sup>6</sup> as a member of the

<sup>3</sup> When they visited the northernmost Canaries, apparently before the French expedition of 1402. See Diogo Gomes, *De Prima Inventione Guineae* (ed. Schmeller), p. 34, and the AMERICAN HISTORICAL REVIEW, XVI. 13, n. 4.

<sup>4</sup> *Os Lusíadas*, IV. 50.

<sup>5</sup> “Mais e melhor gente . . . de sua criação . . . casa . . . huã geral acolhimento de todollos boôs do regno.” Azurara, *Guinea*, ch. IV., p. 20; cf. also p. 23 of the same chronicle, as quoted above.

<sup>6</sup> Prince Henry was Duke and *Alcaide Mor* of Viseu (see a charter of Afonso V., of April 8, 1439, confirming one of John I., of February 16, 1416:

Council of Regency, which administered affairs in the earlier years of Affonso V., Prince Henry belongs to the general political history of Portugal, just as in his capacity of "Protector of Portuguese Studies" he has his place in the literary and academic history of his country.

But it is of course in relation to foreign politics, outside interests, and the national expansion, that he occupies that distinctive position evidenced by those papal and other documents which couple his name with that of the reigning sovereign. His foreign policy may perhaps be defined as one which aims at detaching Portugal from Spain and Peninsular interests: at making her a world-power on and over seas: and so at gaining for her in colonial fields that importance she could never hope to acquire by influence in Europe. It is through this policy that the little kingdom of the Aviz monarchs becomes for a time one of the first of Christian powers, and is able to "hold the East in fee" far more than Venice had ever done; the task to which Henrique calls his nation proves too heavy for her strength, but apart from it we cannot conceive that the history of Portugal would ever have had more than local significance.<sup>7</sup>

Prince Henry's public career we know opens with the conquest of Ceuta; and the capture of the African Gibraltar is not merely an event of value and meaning for Western Europe and Latin Christendom at large, but a matter of deep importance to Portugal herself. With this begins not only her African crusade, her direct relations with the Muslim states of Barbary; but also her colonial empire, her successful activity over sea.<sup>8</sup> When the chronicler declares that

Chancelleria de Affonso V., liv. XIX., f. 36); as well as Lord of Covilhã (see renewal of this grant by Affonso V., December 4, 1449; *Místicos*, III., f. 130); of Baleia and the Berlingas (*Místicos*, IV., f. 22); of Lafoens, Besteiros, Linhares, etc. (Chanc. Affonso V., liv. XIX., f. 70 v., a renewal of a grant of John I.); of Tras Falmenar (*Místicos*, II., f. 201 v.); and of other lands and towns which supplied him with immense resources.

<sup>7</sup> Only through this could a Portuguese monarch ever have been addressed, as Camoens addresses Dom Sebastian, the last king of Portugal's great age, as lord of an empire over which the sun never set:

"Cujo alto imperio

"O Sol logo em nascendo ve primeiro:

"Veio tambem no meyo do Hemispherio,

"E quando desce o deixa derradeiro."

*Os Lusíadas*, I. viii.

"... O'er whose high domain

"The rising sun his earliest ray doth cast,

"Sees it in middle hemisphere again,

"And at his setting moment leaves it last."

<sup>8</sup> On the value of Ceuta, see Azurara, *Guinea*, ch. v., p. 25, "Pois do proveito que a terra recebeo, o levante e o poente som . . . testemunha, quando os seus moradores podem comudar suas cousas, sem . . . perigoo, . . . nom se pode negar que . . . Cepta nom seja chave de todo o mar Medyoterreno."

Henrique was the first royal captain who landed by the walls of Ceuta, and that his square banner was the first that entered its gates, he claims for his hero a decisive part in a great political conquest as well as in a crusading victory.<sup>9</sup> For *Septa* is not bestowed upon any free-lance of Christian chivalry, like the Syrian conquests of earlier time; it is held by the crown of Portugal for the nation whose blood and treasure had won it. And with this holding the Infant is specially connected. He governed Ceuta, says the *Chronicle of Guinea*, in the names of three successive kings, his father, his brother, and his nephew, for five and thirty years;<sup>10</sup> it was for Portugal as well as for Christendom that he saved this stronghold from the Muslim attack of 1418, and from the suggestions of surrender in 1437-1438.

Again, the Infant's navy, the "armed ships which he kept at sea to guard against the Infidels" from the time of the Ceuta conquest, was of course a national as well as a crusading force, and played a valuable part in political and economic defense. For these war vessels checked the activity of those Muslim corsairs who in earlier centuries had sometimes paralyzed all Christian commerce, and made their descents upon every Christian coast, from the Bosphorus to Corunna. They kept in security, says Azurara proudly, all the shores of our Spain and most of the merchants who traded between East and West.<sup>11</sup> To the end of his life Dom Henrique worked for the "honor of the kingdom" as well as the "exaltation of the Faith"; that national honor he was constantly increasing in the view of his countrymen, by the subjugation of "so great and so distant a power of enemies"; and in this cause, as men knew, it was his wish to end his days.<sup>12</sup>

The charters which confer upon Prince Henry the islands of the Madeira group with their revenues and jurisdiction;<sup>13</sup> which give him license to colonize the Azores;<sup>14</sup> which forbid any Portuguese

\* "Primeiro capitam real que filhou terra acerca dos muros . . . sua bandeira quadrada a primeira que entrou pellas portas." Azurara, *Guinea*, ch. v., p. 26.

<sup>10</sup> "Gouvernou . . . per mandado dos reis seu padre e irmaão e sobrinho, XXXV annos." *Ibid.*, ch. v., pp. 28-29.

<sup>11</sup> These "navyos armados", maintained "contra os infiees . . . depois que a dicta cidade foe tomada . . . fezerom muy grande destroyçam . . . daalem e daaquem, de guisa que o seu temor poinha em segurança todallas terras vezinhas . . . e . . . a mayor parte dos mercadores que traутavam do levante para o ponte." *Ibid.*, ch. v., pp. 29-30.

<sup>12</sup> "Trabalhando . . . por honra do regno, e eixaçamento da sêta fe . . . em este processo desejou sempre acabar sua vida." *Ibid.*, ch. v., p. 32.

<sup>13</sup> See Chanc. D. Duarte, liv. I., f. 18 v. (September 26, 1433); *Alguns Documentos do Archivo Nacional da Torre do Tombo acerca das Navegações e Conquistas Portuguezas*, p. 2.

<sup>14</sup> See Chanc. Affonso V., liv. XIX., f. 14 (June 2, 1439); *Alguns Documentos*, pp. 6-7.

to visit any of the Canaries<sup>15</sup> and direct that no person whatever shall sail to the lands beyond Cape Bojador<sup>16</sup> without his license; which exempt him and his colonists in the Madeiras from the payment of various customary dues;<sup>17</sup> which allow him to take timber from the royal pine-forests;<sup>18</sup> and which confer upon him the royal fifth in prizes taken by his ships, or the royal dues on merchandise from certain regions of the Atlantic coast of Africa;<sup>19</sup> are all evidence of the political aspect of the prince's explorations. Equally explicit is the deed of grant by which the Infant in his last days presents to the crown of Portugal the temporalities of the Cape Verde Islands,<sup>20</sup> just discovered. And most instructive perhaps of all documents, in this sense, is the bull of Nicolas V., prohibiting all Christians from intruding into the African discoveries and conquests of Prince Henry and King Affonso V., without the permission of the King of Portugal, and declaring all this conquest, from Capes Non and Bojador towards the south, to belong of right to the said King Affonso and Prince Henry, and to no others.<sup>21</sup>

## II.

The mercantile side of history has often been treated with the contempt, more often with the indifference, of ignorance. Yet nothing has been more efficient in aiding human progress than trade-activity. No form of man's energy has done more to link together distant and diverse races, to bring about the discovery of the earth, to promote truly useful knowledge, to "clear the mind of cant", to break down the obstacles, both mental and physical, which once hemmed in mankind and separated its lands and peoples from one another.

Now we may admit that the rhapsody of Thomson's *Seasons*<sup>22</sup> upon

<sup>15</sup> Chanc. Aff. V., liv. V., f. 17 v. (February 3, 1446); *Alguns Documentos*, pp. 9-10.

<sup>16</sup> Chanc. Aff. V., liv. XXIV., f. 61 (October 22, 1443); *Alguns Documentos*, pp. 8-9.

<sup>17</sup> Chanc. Aff. V., liv. XIX., f. 19 (reissue of a charter of King Edward's).

<sup>18</sup> Chanc. Aff. V., liv. XIX., f. 17 v. (June 1, 1439).

<sup>19</sup> Chanc. Aff. V., liv. XIX., f. 19 (reissue of a charter of King Edward's).

<sup>20</sup> *Livro das Escripturas da Ordem de Christo* (Coll. de Dr. Pedralvares), f. 11 (September 18, 1460); *Alguns Documentos*, p. 27.

<sup>21</sup> "Ipsam conquestam . . . a capitibus de Bojador et de Nam usque per totam Guineam et ultra versus . . . meridiionalem plagam . . . declaramus ad Alfonso Regem et successores . . . ac infantem, et non ad aliquos alios spectasse et pertinuisse ac in perpetuum spectare et pertinere de jure." From the bull *Romanus Pontifex*, issued from Rome, January 8, 1454; see Coll. de Bullas, maço 7, no. 29; *Alguns Documentos*, pp. 14-20, and esp. p. 17.

<sup>22</sup> Thomson, *The Seasons*, "Summer", II., ll. 1010-1012.

"The Lusitanian prince, who, Heaven-inspir'd,  
To love of useful glory rous'd mankind,  
And in unbounded commerce mix'd the world,"

is the hyperbole of a poet, just as Azurara's "Prince little less than divine" is the hyperbole of a rhetorician and a courtier. But the more closely we examine the Infant's work, the more clearly apparent is its intimate connection, not only with crusading and patriotic conceptions and ambitions, but also with commercial interests. Like earlier explorers of the Western Ocean—the Genoese of 1291, who began the search for India by the ocean waterway round Africa, "that they might bring back useful merchandise", or the Catalans of 1346 who started to find the River of Gold<sup>23</sup>—Dom Henrique, especially in his later years, aimed at the opening of a wider field for his country's trade. Azurara's own interest really begins to flag when the conquering and crusading activity of earlier time is so largely replaced by commerce and peaceful intercourse. Although he intends, while ending the *Chronicle of Guinea* in 1448, to supply us with another history which should reach to the end of the Infant's life, he seems never to have fulfilled this promise, and the prospect of such a task appears to excite in his mind but a lukewarm enthusiasm. "The matters that follow were not accomplished with such labor and bravery as in the past; for from this year the affairs of these parts were treated more by trafficking of merchants than by valor and toil in arms."<sup>24</sup> Yet Azurara, honestly struggling, with all his imperfection of insight and limitation of sympathy, to give us a true picture of the great movement which he traces, does not forget to include commercial aims—the importation of "Guinea" merchandise into Portugal, the exportation of Portuguese goods to "Guinea"—among the original reasons of the Infant's explorations.<sup>25</sup> Dom Henrique had ordered the quest for Guinea, not only

<sup>23</sup> See *Dawn of Modern Geography*, III. 413-420; 429-430.

<sup>24</sup> "Com entençom de fazermos outro livro que chegue ataa fim dos feitos do Iffante, ainda que as cousas seguintes nom foram traçadas com tanto trabalho e fortelleza como as passadas, ca despois deste anno avante, sempre se os feitos daquellas partes traatarom mais per trautos e aveenças de mercadarya, que per fortelleza nem trabalho das armas." Azurara, *Guinea*, ch. xcvi., p. 456.

<sup>25</sup> *Ibid.*, ch. vii., p. 46. Gomez, again, makes Dom Henrique hear, at the very beginning of his enterprise, of the "passage" of Tunis caravans and camels to Timbuktu and Cantor, for the "Arabian gold" there found abundantly, and in consequence of this information send out Gouzalo Velho in 1416 to examine these lands by the maritime route in order to have trade with them.

Hieronymus Munzer (in 1494) adds that Henry, learning how much gold the King of Tunis got every year, sent two expeditions to Tunis, and having found how the King of Tunis sent merchandise over the Atlas ranges into "Southern Ethiopia", and so obtained gold and slaves, tried to do by sea this very thing

to find out the power of the Moors in Africa, to discover Christian allies against Islam, and to spread the Faith of Christ, but also to "join East with West, that nations might learn to exchange their riches".<sup>26</sup> More narrowly, modestly, and as the first step in his advance, he endeavored to discover in those lands beyond Bojador the safe harbors of Christian people into which his ships might sail, with which the Portuguese might trade. No other merchants, as he believed, had yet penetrated to those regions, and thus the wares of Portugal would find the readier market, and Portuguese traffickers the greater gain.<sup>27</sup>

Once more, in the building of "His Town", the "Infant's Town", by Cape St. Vincent, at a point "where Ocean and Mediterranean might be said to meet", Prince Henry especially aimed at the creation of a great commercial port, a rival to Cadiz, where all ships passing from East to West might get provisions and pilots.<sup>28</sup>

Again, as the Portuguese intercourse develops with the African mainland beyond Cape Bojador, and as Portuguese colonization progresses in the Atlantic islands, we find more attention paid to the development of trade, and we see the Infant becoming more watchful of his duties and his interests as guardian and director of this trade. Thus, even in 1433, we find him not only securing from his brother King Edward exemption from the customary payment of the royal fifth upon the prizes made by his war-ships, but also procuring the assignment to himself of the whole revenue of the Madeiras, a group he had begun to colonize eight years before, and at whose settlement

which for so many years had been performed by land. See Gomes (ed. Schmeller), p. 19; AM. HIST. REV., XVI, 11; Fr. Kunstmann, *H. Munzer's Bericht über die Entdeckung Guineas* (Munich, 1854), p. 60.

<sup>26</sup> "Tu per continuadas passagees fizeste ajuntar o levante com o poente, por que as gentes aprendessem a comudar as riquezas." Azurara, *Guinea*, ch. vi., p. 41.

<sup>27</sup> "Que achandosse em aquellas terras" . . . (i. e., beyond Bojador and the Canaries, see *ibid.*, p. 44) "alguũs taaes portos, em que sem perigoo podessem navegar, que se poderyam pera estes regnos (i. e., Portugal) trazer . . . mercadaryas . . . de boõ mercado . . . pois com elles nom tratavam outras pessoas . . . e que . . . levaryam pera lá das que em estes regnos (Portugal) ouvesse." *Ibid.*, ch. vii., p. 46.

<sup>28</sup> "Naquella honrada villa que . . . mandou fazer ao cabo de sam Vicente . . . onde se combatem ambollos mares, . . . o grande mar Occiano, com o mar Medyoterreno . . . querya ally fazer hũa villa especyal pera trato de mercadores, e porque todollos navyos que atravessassem do levante pera o poente, podessem ally fazer divisa, e achar mantiimento e pillotos, assy como fazem em Callez." *Ibid.*, ch. v., pp. 33-34.

The tradition ("ouvy dizer", says Azurara, *Guinea*, p. 34) that the Genoese had offered to buy the site of the Villa do Iffante for a large sum when the city was begun by Dom Henrique is rightly regarded by the historian as proof of the great commercial possibilities of the position; the Genoese did not usually spend money, as he says, without a good hope of return.

he was now steadily working.<sup>29</sup> And again in 1438, at a time when the exploration movement was still criticized as materially unprofitable, and was still proclaimed before everything else as a Crusade, Pope Eugenius IV., who twenty months before had summoned all the princes of Christendom to aid the Portuguese in the Sacred War, now permits these very Portuguese to trade with the Moors of Africa in all merchandise except the iron, timber, and other material of war or shipbuilding usually excepted from any such permission.<sup>30</sup>

But it is of course with the events of 1441-1442, with the arrival of the first slaves and gold dust from Guinea, that the question of African commerce assumes real importance; that the opposition to the Infant's policy is converted into cordial support or grudging assent ("men with soft voices praising what they had publicly decried");<sup>31</sup> and that Portugal as a nation becomes interested in the discovery and exploitation of the *terra incognita*. It is now therefore when men had begun to learn "how they could make profit" from the new land,<sup>32</sup> that Dom Henrique obtains his decree of monopoly from the Portuguese government, forbidding any one to go to the country beyond Bojador either for war or traffic without his license, and conceding to him the customary fifth and tenth upon all goods brought from these regions in his ships.<sup>33</sup> Still more important trade-developments were soon to follow. The fort and factory commenced on Arguim Island in 1445, and the first exploration of the Sahara interior by João Fernandes about the same time, seem to be both symbols and causes of a momentous change of policy. It is now, as Gomes points out, that Prince Henry abandons the attitude of a mere crusader in Guinea, a Christian conqueror and exterminator of infidels, and begins to insist on ideals of peace, friendship, trade, and conversion. Henceforward his men were not to make strife, but to treat of merchandise.<sup>34</sup>

<sup>29</sup> Chanc. D. Duarte, liv. I., f. 18; *Alguns Documentos*, p. 2 (September 26, 1433); see above. By another charter of the same date (same references), the crown reserves to itself the tenth of the produce of the Madeira fisheries.

<sup>30</sup> This is the bull *Praeclaris tuae*, issued by Eugenius IV. from Bologna, May 25, 1438, and addressed to King Edward; see Coll. de Bullas, maço 4, no. 5, and summary in *Alguns Documentos*, p. 5.

<sup>31</sup> "Com vozes baixas louvavam o que ante publicamente doestavam." Azurara, *Guinea*, ch. XVIII., p. 104.

<sup>32</sup> "O Iffante . . . dando caminho a as gentes como aproveitassem a terra." *Ibid.*, ch. XVIII., pp. 103-104.

<sup>33</sup> Chanc. Aff. V., liv. XXIV., f. 61; *Alguns Documentos*, pp. 8-9 (October 22, 1443; from Penela, see above). This is the charter noticed by Azurara, *Guinea*, ch. xv., p. 92, "O Iffante dom Pedro, que . . . regya . . . em nome delRey, deu ao Iffante . . . carta, per que ouvesse toda o quinto que a elRey pertecia . . . lhe outorgou mais, que nhũu nom podesse la ir sem sua licença e especial mandado."

<sup>34</sup> "Quod non facerent litem . . . sed ut . . . tractarent mercimonia quia intentio sua erat ipsos facere Christianos." Gomes (ed. Schmeller), p. 23.



To the Arguim factory where something of a colony seems to have been planted, with a chaplain who is probably a missionary also, a considerable native trade in slaves and gold soon flows in.<sup>35</sup> Till the establishment of El Mina, almost forty years later, and within a short time of the discovery of the Cape, this foundation of the Infant's remains one of the two chief centres for the West African trade of Europe.<sup>36</sup>

João Fernandes, in his voluntary seven-months residence among the tribes of the Western Sahara, appears to mark the commencement, not only of modern Christian intercourse with the African interior, but also of a higher European feeling towards the African native, moved by the primal passions of mankind to such a love of the Portuguese pioneer, so completely in their power.<sup>37</sup> From his savage friends Fernandes appears to have gained an excellent knowledge of the markets, trade-routes, and chief articles of commerce in this part of the continent, and it is mainly through him that so flourishing a traffic is established between the Portuguese and the tribes of the desert, a commerce which is the first step on the road to Timbuktu, and the first stage in the mercantile relations of Europe with extra-Mediterranean Africa.<sup>38</sup>

And now we begin to hear of Prince Henry's factors keeping record of all the receipts and expenses of this Moorish or Sahara traffic, and of the regular resort of Portuguese fisher-folk to the waters of this coast; we begin also to have minute and systematic trade-reports, not merely upon the desert shore-lands, but upon large districts of the Sudan as well.<sup>39</sup> The most ambitious, picturesque,

<sup>35</sup> A certain trade in cotton may also have existed. Azurara, *Guinea*, ch. LV., p. 256, mentions the cotton trees of Tider ("arvores dalgodom, ainda que muytas nom fossem").

<sup>36</sup> The other was at the mouth of the Senegal.

<sup>37</sup> "Somos todos filhos de Adam, compostos de huũs meesmos ellamentos . . . todos recebemos alma come criaturas razoavees." Azurara, *Guinea*, ch. xxxv., p. 174; "Por estes primeiros padecimentos . . . se moverom aquelles a afeiçom de Joham FrrZ." *Ibid.*, p. 175.

<sup>38</sup> *Ibid.*, ch. xxxv., pp. 176-178; chs. LXXVII.-LXXVIII., pp. 364-372; ch. xciii., pp. 437-438. The average of profit was 17 for one, or 1,700 per cent. ("Perche di un soldo ne facevano sette e dieci.") The business arrangement of Dom Henrique with adventurers such as Ca da Mosto was as follows: If the venturer furnished his own ship and cargo, he must pay the prince one-quarter of the profits. If the prince furnished ship and cargo, he received half the gain, bearing the whole loss, if the voyage failed. "Navigationi di Messer Alvise da Ca da Mosto", in Ramusio, *Navigationi*, (Venice, 1563) I. 97; in Jean Temporal's version, *Description de l'Afrique* (ed. Schefer, Paris, 1895), p. 1. Also see E. G. Bourne, "Prince Henry, the Navigator", in *Yale Review*, III, 201.

<sup>39</sup> The first of these of any importance (relating to the West Sahara tribes) is that of João Fernandes himself; see Azurara, *Guinea*, chs. LXXVII.-LXXVIII., pp. 364-372. On the development of trade with the Moors in 1446-1448, see *ibid.*, chs. LXXXIX.-XCIII., pp. 419-440 (e. g., "Joham Gorizo . . . levava carrego de screver todallas receitas e despesas dos Mourosi", p. 419).

and valuable of these reports is given us by the Venetian merchant, Alvise Ca da Mosto, voyaging, as we know, in the service of the Infant. His work is avowedly the production of one whose main object was the pursuit of wealth, and who was attracted to the flag of Dom Henrique by the hope of extraordinary profit.<sup>40</sup> It relates therefore, as we might expect, primarily to mercantile affairs. It is the earliest European handbook of West African or "Guinea" commerce. Beginning with a charming and vivid account of the Portuguese colonies in the Madeira group, and especially of their trade, the Venetian passes on to delineate in great detail the new Christian intercourse with the African ocean coast and upland both north and south of Senegal, and the conditions of life and commerce among the natives themselves, Moorish and negro.<sup>41</sup> He pays particular attention to the mercantile relations of the Arguim factory, but he does not forget to refer to the more distant interior, as far as Timbuktu, and to outline the course of traffic between the markets of the African Mediterranean, of the Western Sahara, and of Negroland itself—a traffic which brought the silken fabrics of Tunis and Granada far into the countries of the heathen blacks.<sup>42</sup> Everywhere the narrative is remarkable for its close observation and careful description of all matters even remotely connected with European trade-interests in the regions visited.

From Ca da Mosto's pages the worldly wisdom of Dom Henrique's new commercial policy is sufficiently evident; the Arguim trade alone now yielded annually to the regular Portuguese traders holding license from the prince, without reckoning interlopers, as many slaves as the whole of the first seven years of raiding.<sup>43</sup>

Of the Negro World beyond the Senegal, its agriculture and domestic economy, the dress of its people, the products of its land, its actual trade, its strange custom of dumb barter, the possibilities of its future commerce (as in the iron which the natives could not work), Ca da Mosto tries to give his readers a complete and accurate conception. Nothing is neglected which could be of interest or value to the Christian merchant—the salt of the Cape Verde Islands; the exact price of civet; the abundance of cotton, the scarcity

<sup>40</sup> Ca da Mosto in Ramusio, I. 97, C, "sperando . . . di douerne conseguire . . . utile . . . informatomi delle mercatantie e cose che vi erano necessarie" is expanded in Temporal's version (ed. Schefer), p. 18. "L'esperance du gain . . . my eguillonnoyt merueilleusement," etc.

<sup>41</sup> In Ramusio, I. 97, E-98, B; 98, F etc.; in Jean Temporal's version (Lyons, 1556), I. 402-404, 408, etc.; (ed. Schefer), pp. 21-29, 38, etc.

<sup>42</sup> In Ramusio, I. 99, B-E; 100, A-C; 104, E-F; 105, A; 108, D-E; in Temporal (ed. Lyons), I. 409-410, 412-413, 415, 432, 446-447, etc.

<sup>43</sup> "In modo che ogni anno si trazze d'Argin per Portogallo da settecento in ottocento teste." Ramusio, I. 99, D.

of gold, in the Gambia valley; the palm wine, oil, and millet, and even the valuable parrots, of the Senegal.<sup>44</sup> Everywhere, in obedience to his instructions, he endeavors to avoid conflict, not always with success, in the face of truculent natives; his object, his commission (he never forgets) is to establish commerce, and so to pave the way for conversion.

It is curious to note that even in the Gambia basin he finds a still earlier Italian visitor, a Genoese analogue in the fifteenth century to the ubiquitous Scotchman whom every explorer of the nineteenth is fabled to have found before him, selling something; he impressed Ca da Mosto as highly trustworthy, but may we not guess that the thrilling serpent stories which the Venetian repeats were really intended to discourage a rival trader?<sup>45</sup>

Again, Diogo Gomes, the Portuguese, though commissioned primarily to explore, and if possible to reach the Indies, on his first voyage of 1456, falls back upon trade when his India-ward course is checked by the currents beyond Rio Grande. Like Ca da Mosto, and perhaps even more successfully, he opens trade with the natives of the Gambia, and brings home abundant and confused information of Timbuktu and other inland markets, and of the gold mines of Negro-land. He makes it his business to inquire the way to these gold-bearing regions of the Sudan; he notices himself how natives loaded with gold were constantly to be seen moving about the country; he is careful to conclude formal treaties of commerce with negro chiefs.<sup>46</sup> Incidentally he tells us of Dom Henrique's correspondence with a merchant of Oran in Muhammadan Algeria, and of the reports furnished to the Infant by this trader (whether Muslim or Christian we cannot say) upon the relations of negro states in the heart of West Africa. These reports Gomes declares agreed closely with his own in the matters for which he refers to them; whether agreeing or divergent, they are surely suggestive of the careful search for truth, the wide outlook, the varied information, of a real statesman; above all they illustrate once more the value of trade and traders to that movement of European expansion whose permanent success begins with the work of Prince Henry of Portugal.<sup>47</sup>

<sup>44</sup> See Ca da Mosto in Ramusio, I. 100, B-C; 101, F; 103, D, F; 104, A-F; 105, A; 108, D-E; 109, A-D; and in Temporal (ed. Lyons), I. 413-414, 419-420, 427-428, 429-431, 431-432, 446-447, 449-450.

<sup>45</sup> On this "Genoese huomo degno di fede" see Ca da Mosto in Ramusio, I. 104, A-C.

<sup>46</sup> See Gomes (ed. Schmeller), "inivimus pacem", p. 26, foot-note; "pace facta cum istis de Cantor", p. 28; "multum laboravi facere pacem", p. 29; "amicitiam maximam factam inter me et illum", p. 30; "melius esset facere pacem", p. 31, E.

<sup>47</sup> See Gomes, pp. 27-28, on this correspondent of the prince's ("quidam mercator in Oran") and his information.

III.

Nowhere perhaps is Dom Henrique more clearly a pioneer of the modern world than in colonization. Under his leadership the Portuguese commence the earliest of modern European colonial empires (even if it is not quite the earliest of modern European colonial experiments), and Prince Henry's rediscoveries in the Atlantic are, from the first, accompanied by this element of permanent Christian settlement, in contrast to almost all previous enterprise in these waters. The Genoese of Lanzarote Malocello and the French of Gadifer and Béthencourt are almost the only parallels here.

On this point again the *Chronicle of Guinea*, beneath all the disguise of its rhetoric and imagery, accurately seizes the essential fact. Thus in that remarkable visionary proem whereby the life-work of the hero is brought before us in a series of pictures, we have, in a manner foreign enough to modern scientific method, the suggestion of the same truth which modern research endeavors to elucidate. "I had already made an end, had I not described a multitude of lofty sails, bearing along a fleet of vessels laden from the islands thou didst people in the great sea of ocean." Then, feigning to be transported to these islands beyond the waters, and especially to Madeira, the historian tells us something of their beauty and prosperity, their irrigation, agriculture and pasturage, their cattle-stalls, bee-hives, and sugar-plantations, and celebrates above all the lofty timbered houses of the colonists, to whom he pretends to listen as they praise their founder. Had the folk of the Algarve, the backward southern province, ever known abundance of bread until the Infant peopled the uninhabited isles where no dwellings had been save those of wild beasts? Was not store of wheat, timber, sugar-cane, wax and honey, now sent from these colonies to Portugal and every country?<sup>48</sup>

A respectable amount of material exists, mostly still unpublished, in the National Archives of Portugal, in relation to Prince Henry's commercial interests and resources. Thus, *e. g.*, King John grants him the foundation and control of a free fair in Thomar (April 13, 1421; Chanc. João I., liv. IV., f. 19); King Edward and King Affonso similar privileges in fairs established at Tarouca (August 26, 1435; Chanc. Duarte, liv. I., f. 162 v.; and Místicos, liv. IV., f. 44 v.); at Pombal (May 4, 1442; Chanc. Aff. V., liv. XXXV., f. 100 v.); at Viseu (January 13, 1449; Místicos, II., f. 35). To these grants add the monopoly of the tunny and coral fishery off the Algarve, the southernmost coast of Portugal (Chanc. Duarte, liv. I., f. 18; Chanc. Aff. V., liv. XIX., f. 18 v.); the monopoly of the manufacture and sale of soap in Portugal (Chanc. Duarte, liv. I., f. 18; Chanc. Aff. V., liv. XIX., f. 17); a similar monopoly of dye (Chanc. Aff. V., liv. V., f. 18); and the monopoly of the coral fishery (Chanc. Aff. V., liv. XXXIV., f. 202 v.). All these charters I examined in the spring of 1909.

<sup>48</sup> "Ja quisera fazer fim . . . se nom vira viir a multidom dos navynos com as vellas altas, carregados das ishas que tu povoraste no grande mar Oceano

In less poetic language, but with a better supply of practical illustration, we shall find the chief historians of Henrique's later years describing the steady growth of the Madeira settlements, and their excellent prospects at the time of the birth of Columbus (c. 1451).

It is in 1425, seven years after his earliest successes in oceanic discovery, five years after the full recovery of Madeira to European knowledge, that Dom Henrique begins his colonial experiment<sup>40</sup> with the settlement of Funchal, the "Place of Fennel". From this time we possess fairly continuous material for the history of this enterprise, here and elsewhere. In 1433, as we have seen, King Edward bestows upon his brother, as an accession gift, the whole of the Madeira group "which the said Lord Infant is now colonizing".<sup>40</sup> In 1439 we have still more important legislation. For one thing, the colonists of the Madeiras are exempted from the hitherto customary payment of a tenth on their exports to the home kingdom; for another, and this is of special interest, license is now given to people the Seven Islands of the Azores, to which the prince had already sent over live stock, and which he desired to colonize.<sup>51</sup> This license is renewed in exactly similar terms, after ten years, in 1449. In the interval between these two decrees, as we learn from other Azorean documents of 1443 and 1447, which impose definite payments upon the colonists, the actual settlement of these Western Islands must have begun.<sup>52</sup>

... mostraromme . . . abogoaryas . . . filhas das colmeas . . . alturas das casas. que se . . . fazem com a madeira daquellas partes." Azurara, *Guinea*, ch. II, p. 14.

<sup>40</sup> This point is quite decided by the prince's charter of September 18, 1460 (from *Livro das Escript. d. Ord. de Christo*, vol. III., f. 7 v., Coll. de Dr. Pedralvares); summarized in *Alguns Documentos*, p. 26; "Comecei de povoar a minha ilha da Madeira a vera ora trinta e cinco annos, e isso mesmo a do Porto Santo e deshi . . . a Deserta, das quaes ilhas . . . edifiquei e novamente achei."

<sup>50</sup> Chanc. Duarte, liv. I., f. 18; *Alguns Documentos*, p. 2. Two charters issued from Cintra, September 26, 1433.

<sup>51</sup> (A) Chanc. Aff. V., liv. XIX., f. 17 v.; *Alguns Documentos*, p. 6; charter issued June 1, 1439, from Almada. (B) Chanc. Aff. V., liv. XIX., f. 14; *Alguns Documentos*, pp. 6-7, and *Arquivo dos Açores*, I. 5; charter issued from Lisbon, July 2, 1439, "D. Henrique . . . enviou dizer que elle mandára lançar ovelhas nas sete ilhas dos Açores e que se nos aprovesse que as mandaria povoar."

<sup>52</sup> The renewal charter of 1449 (dated from Santarem, March 10) is, in manuscript, in the Chanc. Aff. V., liv. XX., f. 37 v., and in *Místicos* II., f. 36 v.; in print, in *Arch. d. Açores*, I. 7-8. But the Azorean charters of 1443 and 1447 tax Azorean colonists: (A) issued from Lisbon, April 5, 1443, orders all these settlers to pay tithe for five years, and is addressed "a Gonçalo Velho, commendador das ilhas dos Açores, e a todos os povoadores que estam e vivem nas ditas ilhas, da feitura desta nossa carta até cinco annos . . . pelo do Infante D. Henrique"; see Chanc. Aff. V., liv. XXVIII., f. 107 v.; *Arch. d. Açores*, I. 5-6; (B) issued from Lisbon, April 20, 1447, orders the colonists in St. Michael to pay tithe on all the "generos" produced in this island; *Livro das Ilhas*, f. 26 v.; *Místicos*, II. 196 v.; *Arch. d. Açores*, I. 6-7.

The first known examples of official papers from Henrique's chancery, signed by himself (of 1430 and 1440) refer to colonization; the first of these regulates the settlement of Madeira, the second bestows a part of the island upon the famous Tristão Vaz Teixeira, one of the first discoverers and settlers of the Woodland Isle.<sup>53</sup> And few of the Infant's charters are of greater interest than that whereby the prince in 1446 bestows Porto Santo upon Bartholomeu Perestrello, the father-in-law of Christopher Columbus.<sup>54</sup>

In the last decade of Prince Henry's life Portuguese colonizing ambition had reached the extreme west of the Azores, for in 1453 we find the crown granting the still uninhabited Corvo to the Duke of Braganza.<sup>55</sup> Just before the Infant's death it had begun to touch the new-found archipelago of the Cape Verdes, for one of the latest of the Infant's charters bestows the temporalities of these islands upon the King of Portugal, and their spiritualities upon the Order of Christ.<sup>56</sup> But it is only in the Madeira group that we have the material for any real picture, even in outline, of the European settlement accomplished under the Infant's inspiration and control; here fortunately all our chief authorities unite to help us.

Whether Dom Henrique did or did not institute family registers for his colonists in the Madeiras; whether the first children born to the European settlers in this new land, reflecting the wonder of men beginning human life afresh in a strange world, were named Adam and Eve; whether the fire that wasted the forests of Madeira so cruelly in the days of the first plantation could in any sense be made to last, as a contemporary declares, for nine full years; the steady progress of the prince's settlement is here sufficiently proved by an unusually full and satisfactory concordance of authorities.<sup>57</sup> By the end of the Infant's life the colonists of Madeira are estimated by thousands, able to furnish an army of a hundred horse and seven hundred foot.<sup>58</sup> From a soil of marvellous fertility, "like a garden", which at first had yielded up to sixty-fold, a splendid harvest

<sup>53</sup> See A. Cordeyro, *Historia Insulana*, bk. III., ch. xv., on the charter of 1430. That of 1440, issued from Santarem, May 8, is in *Livro das Ilhas*, f. 21; *Alguns Documentos*, p. 7.

<sup>54</sup> *Chanc. Aff. V.*, liv. XXXIII., f. 85; *Alguns Documentos*, pp. 10-11; charter issued from the "Infant's Town" (Minha Villa), November 1, 1446.

<sup>55</sup> *Chanc. Aff. V.*, liv., III., f. 2, and *Místicos*, liv. III., f. 69; *Arch. d. Açores*, I., 9; charter issued from Evora, January 8, 1453.

<sup>56</sup> *Livro das Escripturas da Ordem de Christo* (Pedralvares), f. 11; summarized in *Alguns Documentos*, p. 27; charter issued from the "Infant's Town" (Minha Villa), September 18, 1460.

<sup>57</sup> On the Madeira fire, see Gomes (ed. Schmeller), p. 38; Ca da Mosto in Ramusio, I. 97, F.; on the Madeira family registers and Adam and Eve, see the information supplied by the Count of Rivas to R. H. Major (*Henry the Navigator*, 1868), p. 73, and Antonio Cordeyro, *Historia Insulana*, bk. III., cap. xv.

<sup>58</sup> Ca da Mosto in Ramusio, I. 97, F.

of many thousand bushels was reaped year by year; it was no wonder that the beginnings of a great export trade in grain were already to be noted.<sup>59</sup> Saw-mills had been erected on the streams of the island; a prominent colonist, famous for his ventures into the Atlantic, contracts (in 1452) to build a water-mill for the manufacture of cane-sugar.<sup>60</sup> As to the timber of Madeira, from which the land was named, its mercantile value was already considerable; furniture was now exported, especially tables and boxes, made of red yew and fragrant cypress-like cedar, producing in Portugal a revolution in the style of domestic architecture.<sup>61</sup> Sugar-cane, originally imported from Sicily, was another useful asset for which the planters found a market both in Eastern and Western countries; but the vines, and especially the Malvoisie or Malmsey, transplanted with brilliant success from Crete, and producing "well nigh as many grapes as leaves", were the most remarkable, precious, and beautiful product of the new Madeira.<sup>62</sup>

In the Azores, where colonization had begun later,<sup>63</sup> and had apparently proceeded more slowly, material progress had naturally been less marked, although the cattle, swine, sheep, and corn of St. Michael's were all exported to the home-kingdom before many years had passed, while its sugar produce was sufficiently respectable to form a special item in a bequest of Dom Henrique to the Order of Christ.<sup>64</sup> But the enterprise of planting a European settlement in these Western lands,<sup>65</sup> lying so far out in the ocean, nine hundred miles from Finisterre, one-third of the distance from Spain to Florida, was a bolder and more difficult matter than the colonization of the Madeiras and Canaries or even of the Cape Verdes. It was almost a foretaste of the colonization of America when Dom Hen-

<sup>59</sup> Ca da Mosto in Ramusio, I. 97, F; Gomes (ed. Schmeller), p. 39.

<sup>60</sup> Ca da Mosto in Ramusio, I. 97, F; Gaspar Frutuoso, *Saudades de Terra* (ed. Azevedo, 1873), pp. 65, 113, 665; O. Martins, *Os Filhos de D. João I.*, pp. 80, 258.

<sup>61</sup> Ca da Mosto in Ramusio, I. 97, F-98, A; Gomes (ed. Schmeller), pp. 38-39; Azurara, *Guinea*, ch. II., p. 14.

<sup>62</sup> *Ibid.*, chs. v., LXXXIII., pp. 30, 390-391; Ca da Mosto in Ramusio, I. 98, A; Gomes (ed. Schmeller), p. 39.

<sup>63</sup> Azurara, *Guinea*, ch. LXXXIII., p. 389, makes the colonization of the Azores begin in 1445, while that of Madeira he commences in 1420 (*Guinea*, p. 388); both dates are inaccurate, as we have seen.

<sup>64</sup> The cattle, corn, and sugar of St. Michael's are noticed by Gomes (ed. Schmeller), p. 40. "Porcos, vaccas, oves, de quibus maxima multitudo . . . ad Portugaliā deducunt omni anno. Similiter . . . de tritico . . . tanta copia, ut omnibus annis naves . . . triticum in Portugaliā ducunt." On the sugar bequest ("da . . . Sam Miguel . . . ameeade dos açucaraes"), see Azurara, *Guinea*, ch. LXXXIII., p. 391.

<sup>65</sup> Prince Henry was fortified, Gomes declares (p. 41), by a papal grant of a more ample nature than we possess as to the Atlantic Islands. "Eugenius papa . . . fecit mentionem, quod omnes insulae inventae in . . . Oceano essent Domini Infantis et ordinis Christi."



rique, perhaps in 1439, certainly by 1443, sent out his people, with their seed-corn, their live stock, and their German horses,<sup>66</sup> to plant a new Portugal, a new outpost of Christian Europe, in so distant a corner of the waste of waters, hitherto inhabited only by wild birds, and especially by the hawks and kites<sup>67</sup> from which the group now took its name.

It is evident from Prince Henry's will, executed in the autumn of 1460, a few days before his death, that European colonization had already penetrated to the remotest of the Azores, for what else can be meant by the Infant's reference to his foundation of churches in Corvo, Flores, Fayal, Pico, and St. George, as well as in the better-known, more important, and more accessible Terceira, St. Michael, and St. Mary?<sup>68</sup> And an additional fact which apparently emerges from the very imperfect, and partly vitiated, evidence at our disposal, that the Infant employed certain Flemings in his service in the work of Azorean plantation, forms another and a remarkable example of the international character of the prince's policy and action, even in prosecuting a national undertaking.<sup>69</sup>

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<sup>66</sup> "Multos trotones equos de Alemania." Gomes (ed. Schmeller), p. 41.

<sup>67</sup> "Astures seu Açores." *Ibid.*, p. 40.

<sup>68</sup> For this "testamento", made October 13, 1460, see *Arch. d. Açores*, I. 331-336, and esp. p. 334, and Sousa Holstein, *A Escola de Sagres*, p. 81-86, and esp. p. 84: "Ordenei e estabeleci a igreja de S. Luis na ilha da S. Luis, e a igreja de S. Diniz na ilha de S. Diniz, e . . . de S. Jorge na ilha de S. Jorge, e de . . . S. Thomaz na ilha de S. Thomaz, e de . . . S<sup>a</sup>. Eiria na ilha de Santa Eiria . . . de Jesu Christo na ilha de Jesu Christo, e outra igreja na ilha Graciosa. Item ordenei e estabeleci a igreja de sao Miguel na ilha de sao Miguel; e a igreja de Santa Maria na ilha de Santa Maria." From certain leading maps of this time and especially that of Christofalo Soligo (c. 1455?) it appears evident that the island of St. Luis is Pico; St. Diniz, Fayal; St. Thomaz, Flores; St. Eiria, Corvo. The Island of Jesus Christ is of course Terceira; Graciosa, St. George; St. Michael and St. Mary still keep the same names.

<sup>69</sup> On the Flemings in the Azores, see Jules Mees, *Découverte des Iles Açores*, pt. II., passim, and esp. pp. 109-117. Antonio Cordeyro, *Historia Insulana*, deals with this question with equal length and inaccuracy (so also G. Fructuoso, *Saudades de Terra*); he gives the professed copy of a charter by which Prince Henry on March 2, 1450, gave the captaincy of Terceira to Josuá van den Berge of Bruges. See also the Azorean inscription on Behaim's Globe of 1492, and a document of September 16, 1571, in the Archivo Nacional of the Torre do Tombo (gaveta 15, maço 16, no. 5) which contains the judgment in a law suit as to the succession to the commandership of Fayal. See also R. H. Major, *Henry the Navigator*, pp. 239-244.

## SIR GEORGE DOWNING AND THE REGICIDES

THE Royalists who came into power upon the restoration of the English monarch in 1660 were resolved to avenge their losses and sufferings upon their enemies. They soon discovered, however, that little could be done except against the regicides, the men who had sat in judgment upon Charles I., or who had taken some part in the court proceedings, or in the execution of the king. For these persons no one had a word of justification or excuse.

The regicides, including under that term all who took any part in the death of King Charles, numbered about one hundred persons. Of this number twenty-five had died, and so could not be reached. Of the remainder, a score were able to save themselves from loss or suffering because they had taken too slight a part in the crime to be held strictly responsible, or because they had rendered service in the Restoration, or because they hastened to make a humble submission and to submit base and false apologies. Twenty-nine of the remainder were immediately seized upon, tried for high treason, and found guilty. Ten of these were executed, of whom only six had actually taken part in the trial of the king. The rest of the condemned were punished by the infliction of penalties less than death. Of all the other regicides, only nineteen escaped the vengeance of their enemies. These nineteen made good their escape from justice by flight. Three of them came to New England, and the remaining sixteen found a precarious refuge on the Continent. Parliament attainted them. Their property was confiscated, and they were liable to immediate execution as traitors if they fell into the power of the English government.

It goes without saying that strenuous efforts were made to lay hands upon these outlaws. Attempts to do so were made in New England, in Geneva, in Germany, in Switzerland, and in the United Provinces. It is the story of the success of the efforts made in the Netherlands that will be related here.

As early as September, 1660, Charles II. sent to the Hague a Catholic priest by the name of O'Neill, to present several matters to the government of Holland, and among these one concerning the surrender of certain regicides then in that province. Johan de Witt, at that time head of the provincial government, declared his willingness, as a favor to the newly-restored monarch, to assent to the issue of a warrant for the arrest of the regicides, but said that before

doing so he must be furnished with the names of the persons. O'Neill apparently did not supply these, and nothing further came of this attempt.<sup>1</sup> The truth is that the authorities of Holland were unwilling to make the surrender. Clarendon complained of this, and received an answer to the effect that the provinces were bound to reckon with the fact that the Netherlands were well known to grant freedom to everyone who came there, and that nothing could be done against the liberties of the states.<sup>2</sup>

In December, 1660, Sir William Davidson, a Scottish merchant residing in Amsterdam and a sturdy Royalist, appealed to the burgo-masters of that city for assistance in capturing some of the fugitives then present there, but in Amsterdam such an appeal could not succeed. Instead of granting the assistance prayed for, the burgomasters ordered the police to give no aid to Davidson. Sir William hereupon hurried off to the Hague to get a warrant for the arrest of the fugitives from the Estates of Holland, but nothing came of his efforts.<sup>3</sup>

Matters stood thus, when Sir George Downing came to the Hague in the capacity of envoy extraordinary for the king. He had occupied a similar position there under Cromwell and under the Commonwealth, and had been a friend of many of the regicides. He had shared in the benefits which accrued to those who loyally supported Oliver, and it was hardly to be expected that he would make any serious effort to deliver any of his old friends to certain death. But he was extremely anxious to prove his loyalty to the new sovereign, and so increase his own fortunes. He declared to Clarendon that he would do "as much as if my life lay at stake in the busines" and that "if my father were in the way I would not avoyde him for my Loyalty".<sup>4</sup> This was characteristic of the man. He was perfectly willing to sacrifice his nearest and dearest to the master whose bread he ate, whether that master was called Oliver or Charles. He was always true to those who paid him.

Downing was thoroughly qualified for the business of catching the regicides. He was a man of unlimited energy and of endless persistency. He had by nature a mind of intense activity and intense subtility. He was quick to see a point and never failed

<sup>1</sup> N. Japikse, *De Verwickelingen tusschen de Republiek en Engeland van 1660-1665*, Bijlage I.

<sup>2</sup> *Ibid.*, p. 193 and n. 2, with reference to the correspondence in the Rijksarchief, of the ambassadors in England with the griffier, April 22, 1661.

<sup>3</sup> Russell (?) to Nicholas (?), December 20, 1660. *Calendar of State Papers, Domestic, 1660-1661*, p. 420.

<sup>4</sup> Downing to Clarendon, October 21, 1661. Clarendon MSS., vol. 105, f. 71. Bodleian Library.

to get all the advantage possible out of it. He was extremely skilful in making the worse appear the better reason. Finally, he was quite unscrupulous. He had added to his natural endowment in craft and cunning by a long experience as Scout-Master General in Cromwell's army. In that capacity he had devoted himself to the business of hiring and training spies, and to the securing of information by bribes, cajolery, threats, and violence. In this occupation he became thoroughly versed in the knowledge both of the weak and of the evil sides of human nature and of the motives which would most effectually appeal to weak and evil men. He was quick to read character. Above all, he was a past-master in the arts of corruption. He seems never to have met a man without at once making a mental note as to his price.

The reasons determining the states of the Netherlands in their policy of not lending assistance toward the apprehension of the regicides were the following: the provinces were known to be a refuge for all political offenders; it had always been the custom in the Netherlands that such offenders should not be molested. Indeed, they had lately refused the arrest, not to say the extradition, of certain Frenchmen, who had been adjudged to death in France, and application for whose arrest had been made by Louis XIV.;<sup>5</sup> moreover, if the states should consent to such seizures, they felt bound beforehand to issue a proclamation warning the fugitives of their danger; again, there was no treaty with England by which that state could demand the arrest and extradition of fugitives from its justice. Of course all these considerations might be brushed aside, and in spite of them Holland might take the action desired by Downing. But this no one expected would be done. The regicides were therefore justified in believing themselves safe within its boundaries. Their surrender under the circumstances would be a humiliation to the Dutch and a breach of confidence towards the fugitives. It must be added that even if the state were willing to give them up, there would still be a considerable difficulty in doing so, because they had a large number of friends in the Netherlands, both Dutch and English, who were constantly on the watch to forewarn them in case any attempt was made to seize them.

Downing might well consider the obstacles in his way insuperable. But he was not a man to believe anything he wished impossible, and as soon as he arrived in the Hague, in June, 1661, he began to search out the places where the fugitives lay hidden. He

<sup>5</sup> Aitzema, *Saken van Staet en Oorlogh* (folio ed.), IV. 896. Downing writing to Clarendon, August 12, 1661, says that the states had twice denied a request for a warrant for arresting political prisoners. Clarendon MSS., vol. 104, f. 228.

immediately discovered that Rotterdam was full of disaffected Englishmen and that the regicides were frequently there.<sup>6</sup> He had been in the Netherlands only a month when he wrote Clarendon that he had hopes of catching some of them, but was troubled as to the best method of proceeding. He feared that if he applied to the Estates of Holland for a warrant for their arrest, the fact would become known to the regicides before the warrant could be served. He would therefore prefer to seize them without a warrant and ship them off to England. He wished, however, to have exact instructions from the home government before using violent and illegal means.<sup>7</sup> This was Downing through and through. He was always for striking first and explaining afterwards. And he was always careful to be quite safe himself. He did not intend to do the king a great service and then find himself repudiated. The only legal method was to secure a warrant before proceeding against the regicides. But he preferred to kidnap, because he was convinced that this was the only certain method. Such a procedure would be a violation of Dutch law, but he cared nothing for that provided he attained his object. Moreover, he had a sovereign contempt for Dutch unreadiness to resent an insult.

His next letter, however, showed that he had returned to the idea of securing a warrant, and that he found difficulties even in the way of doing that. He wrote that he had spoken to de Witt about "a dormant order to apprehend any of the excepted persons". That is, he wished a blank warrant which would permit him to seize upon any of the regicides. This was something he could not reasonably expect. De Witt at first said that it could not be done until the treaty between England and the Netherlands was concluded; he then admitted that it might be done without the treaty but only "by order of the states of Holland". Downing says that he asked de Witt's opinion in case he should seize the regicides without getting a warrant, and that de Witt answered that it would be the "surest way".<sup>8</sup>

Downing was now accurately informed as to the whereabouts of a number of the fugitives. Edward Dendy was at Rotterdam; John Okey and some others at Strassburg. John Hewson lay sick at Amsterdam, but was intending for Strassburg as soon as he recovered.<sup>9</sup> Clarendon replied encouragingly, telling him that he was

<sup>6</sup> Downing to Clarendon, June 6/16, 1661, and June 14/24, 1661. Japikse, p. 194, and Lister, *Life and Administration of Edward, first Earl of Clarendon*, III. 144.

<sup>7</sup> Downing to Clarendon, July 8, 1661. Lister, *Clarendon*, III. 151-152.

<sup>8</sup> Downing to Clarendon, July 15, 1661. Lister, III. 155.

<sup>9</sup> *Ibid.*

to do all he could "to lay hands upon the rogues",<sup>10</sup> but he sent no precise orders, without which Downing did not dare to carry out his kidnapping plans. He wrote again on July 22, expressing his disappointment at not receiving directions as to what he "was to do in the case of Dendy and Hewson".<sup>11</sup> Clarendon then notified him that Sir William Davidson, who had made the futile attempt of the previous December, had written that several of the "rogues" were lurking at Amsterdam, and that he had referred Davidson to Downing for advice. "Trust him well", he added, "for he can do great service."<sup>12</sup> Downing again demanded Clarendon's "particular directions", pointing out, as before, the probability that if he proceeded by getting a warrant from the Estates of Holland the fugitives would get wind of it, and be off before he could take them. He again suggested that he should seize them without first getting a warrant, but in that case he desired to have an assistant of great courage and daring. He asked for the aid of a certain Colonel Griffith, then in London, who appears to have been particularly recommended by Clarendon. In any case, if the kidnapping was to be done, he must have an order under the king's hand. He also wished a man-of-war placed at his disposition so that he could send off his captives as soon as he had taken them. He thought that he would be able to seize Dendy, though none of the others at that time.<sup>13</sup>

He then proceeded in his attempt to seize Dendy. First he interviewed several English officers in the military service of Holland to see if any of them would make the arrest without a warrant. None of them would, however. He was compelled to admit that they were justified in their refusal, because if any of them should attempt it in any of the towns, they would be pulled to pieces by the populace. This project having failed, he applied for an order from the Estates of Holland, though without much hope of being able to execute it. He went to de Witt, and asked him to remember his previous promise to assist him in procuring the order. But de Witt, to his embarrassment, denied that he had ever given such a promise, and absolutely refused to have anything to do with the matter. Hereupon Downing went to Admiral Opdam, and prevailed upon him to present to the Estates Downing's memorial soliciting the order for the arrest of Dendy. He expected a refusal, because the

<sup>10</sup> Clarendon to Downing, July 19, 1661. British Museum, Add. MSS. 22919, f. 158.

<sup>11</sup> Downing to Clarendon, July 22, 1661. Clarendon MSS., vol. 104, f. 185.

<sup>12</sup> Clarendon to Downing, July 26, 1661. *Ibid.*, f. 7.

<sup>13</sup> Downing to Clarendon, July 29, 1661. *Ibid.*, f. 200.

Estates had twice declined to grant a similar request of the King of France. But he says he so laid down the law to them that they yielded. All his efforts were thwarted, however, by de Witt's method of managing the business in the Estates. He raised objections against the granting of the order, and after it was granted, despite a promise to Downing to forward it immediately, delayed its transmission until the next day at noon.<sup>14</sup> Moreover, the Estates had insisted on having the name of Dendy inserted in the warrant.<sup>15</sup> The insertion of the name and the delay gave Dendy's friends an opportunity to warn him. He was notified by one of the magistrates of Rotterdam that a warrant was out for his arrest and that he would do well to leave the place at once, which he did.<sup>16</sup>

The result fortified Downing in his conviction that it was useless to attempt to do anything by getting a warrant, and he busied himself to contrive some other means of laying hands on his prey. Davidson advised him that Dendy had fled to Amsterdam, and Downing had an interview with the canny Scot as to the best way to proceed. They agreed that this would be to arrest the fugitives at Amsterdam on a charge of debt. Once arrested, Downing would transport them to England, and believed that no one would dare to interfere. So he gave Davidson a warrant under his own hand for the arrest of several of them on a charge of owing a sum of 200,000 guilders. It was the best project he could conceive, and if Davidson's information was correct, he believed it must succeed.<sup>17</sup> Clarendon sympathized with him in his failure to catch Dendy, but assured him that he did "not know that you could do more then you did". He agreed that the way of proceeding by warrant was unlikely to succeed, and approved heartily of the new plan.<sup>18</sup>

The well-laid scheme miscarried however. When Davidson returned to Amsterdam after his conference with Downing, he found that the "rogues" had all gone out of town. He expected them back soon however.<sup>19</sup> But the fugitives had been alarmed by the

<sup>14</sup> Downing to Clarendon, August 12, 1661. *Ibid.*, ff. 227-228. He encloses a copy of his memorial, dated August 6. *Ibid.*, f. 216.

<sup>15</sup> See the resolution demanding the name in *Secrete Resolutien van Holland en Westvriesland*, II. 320-321; also the warrant, with space left for insertion of the name, *ibid.*, p. 321; both dated August 6, 1661.

<sup>16</sup> Deposition of Isaac Thompson, of Rotterdam, August 11, 1661. Clarendon MSS., vol. 104, f. 214.

<sup>17</sup> Downing to Clarendon, August 19, 1661. *Ibid.*, f. 237. "Once arrested", says Downing, "then I would see who would then dare let them go."

<sup>18</sup> Clarendon to Downing, August 16, 1661. Lister, III. 168-169. The date must be old style.

<sup>19</sup> Davidson to Downing, August 25, 1661. Clarendon MSS., vol. 104, f. 238.



attempt on Dendy, and kept continually on the move.<sup>20</sup> In September Davidson sent word that "Dendy and two more of them" were back in Amsterdam, and Downing forwarded him the original warrant for the arrest of Dendy.<sup>21</sup> Davidson was unable to serve it, however, and the disappointed diplomat again demanded the aid of Griffith, "to hunt them, or money to employ some other in that kinde if I can find out any who can be so proper for it".<sup>22</sup> Davidson seemed to despair of success, and since they could not take any of the living, he suggested that they might avenge themselves on the dead. Hewson had died recently at Amsterdam, and the Scot thought it would be some satisfaction to tear his body out of its grave and dispatch it for England.<sup>23</sup> Downing thought this ghoulish suggestion worthy to be transmitted to Clarendon, and asked for his "Lordship's mind" as to it.<sup>24</sup> Clarendon could hardly have had any objection to the desecration of Hewson's grave and the mutilation of his remains, but to secure these objects would have been expensive and might have caused trouble with Holland. Apparently he had nothing to say in answer to the suggestion, or if he made any response it must have been unfavorable.

Downing soon had renewed hope. A fortnight after his despairing letter, he had made new discoveries that promised well. He was now informed that the regicides Corbet and Holland lived together, that their customary residence was in Zwolle or Campen, but that at times they visited Amsterdam, Delft, and other Dutch cities. Better still, he had ferreted out the agent at Delft who had charge of their affairs. This was one Abraham Kick, an Englishman, who conveyed to the fugitives "both their letters and money". With his usual promptness, Downing secured an interview with this man, measured his character at a glance, and attacked him on that side which his long experience told him was least able to bear a strain. He offered Abraham £200 a head for as many regicides as he could betray into his hands, besides a few other coveted favors. Then, to add wings to Kick's zeal, he threatened him with absolute

<sup>20</sup> "They are perpetually changing their abode else that way we agreed would and will take them." Downing to Clarendon, September 2, 1661. Clarendon MSS., vol. 105, f. 18. "For the murderers nothing protects them here but their continuall removeings from place to place, never being two nights in a place." Same to same, September 16, 1661. *Ibid.*, f. 37.

<sup>21</sup> Downing to Clarendon, September 9, 1661. *Ibid.*, f. 26.

<sup>22</sup> Same to same, September 16, 1661. *Ibid.*, f. 37.

<sup>23</sup> "That roge Hewson the Cobeler his seafft us a truble, he being deade, and was this weeke buried heere, as I am informed. . . . Seing we could not gett him apprehended in his lifetime, methinckes giff you plees under Correctione, that you may gett him taene out of his grave and send him for England." Davidson to Downing, September 22, 1661. Clarendon MSS., vol. 105, f. 52.

<sup>24</sup> Downing to Clarendon, September 23, 1661. *Ibid.*, f. 50.

ruin if he did not comply.<sup>25</sup> Kick was amenable to the law of England for having assisted the criminals, and though he might be safe in Holland he could never return home, and even in Holland. Downing's influence might be sufficient to compass the ruin he threatened. Urged forward by avarice and fear, Kick yielded and henceforth exhibited zeal and devotion in performing his odious task.

Downing had to leave for Cleves immediately after making his arrangements with Kick, but he secured the promise of a certain Major Miles, an officer in one of the English regiments in the Dutch service, that he would seize the regicides if they came to Delft in the ambassador's absence. Kick was to give instant warning to the major if the regicides appeared. But here Downing suffered a disappointment which a man with a keener sense of honor would have foreseen intuitively. Men like Miles had no fancy for the job. They felt that it was dirty business, unfit for a gentleman to engage in. Kick came to the Hague during Downing's absence, apprized Miles that the fugitives were in Delft, and offered to lead him to the house in which they were lodging. Miles excused himself on the ground of being too ill to go, and thus the opportunity was lost, much to Downing's sorrow and disgust. He credited Miles's unwillingness to the fact that he was in the pay of the Dutch, and therefore might lose his position if he engaged in an illegal act. He was sure that if Colonel Griffith or "any such that had had no dependence heer" had been at hand, the business would have been done. But "it shall go hard but I will catch some of them".<sup>26</sup>

He now redoubled his pleadings with Clarendon to lend some efficient assistance. In November, he "would to God the King would send some hither to see to the execution" of the business. Kick had informed him of the exact house in Campen in which Holland dwelt, and "to have this particular and punctuall Intelligence and yet not to be able to take him doth very much trouble me". Kick had also told him that Barkstead, Okey, and Walton were living near Frankfort. Downing despaired of being able to seize them, but he suggested another device which would serve quite as satisfactorily. "What if the King should authorize and send some trusty persons to kill them prey upon the whole lett me have the King's serious thoughts and directions about this business."<sup>27</sup>

In answer to this letter Clarendon at last sent over the redoubt-

<sup>25</sup> Downing to Clarendon, October 4, 1661. *Ibid.*, ff. 64-65.

<sup>26</sup> Downing to Clarendon, October 21, 1661. *Ibid.*, f. 71.

<sup>27</sup> Downing to Clarendon, November 11, 1661. *Ibid.*, ff. 100-101.

able and long-desired Colonel Griffith to carry through the job. "I am hartly glad that hee is come", wrote Downing, "for I fynd him reall."<sup>28</sup> Things now moved apace. Three weeks after Griffith's arrival, Kick sent to Downing a letter from Barkstead then at Frankfort.<sup>29</sup> It is a piteous epistle viewed in the light of after events, though undoubtedly Downing gloated over it. Barkstead addresses Kick as "My reall freind" and tells the treacherous scoundrel that he has ordered a "trunk wth cloathes", sent from England by his wife, to be delivered to Kick. He adds "myself and Mr. Williamson [a pseudonym for Okey] intend to be wth you about the latter end of ffebruery or the begining of March and hope then to meet or wives wth you, they have promised us in part."<sup>30</sup> Downing urged Clarendon to give specific instructions to Griffith for the capture of the two when they visited Holland in the spring.<sup>31</sup> Unfortunately for this plan, difficulty now arose with Griffith. That bold gentleman insisted on returning to London to talk the matter over with Clarendon. Downing strove to persuade him to remain in the Hague, "but he had no mind" to go forward with the affair, "till he had spoken wth yr Lordship". Apparently the dare-devil soldier had concluded that the work was not fit for a gentleman. However, he promised Downing to return in two weeks,<sup>32</sup> then departed, and never reappeared.

Meanwhile Kick had received another letter from Barkstead who commissioned him to discover if there was any danger in his and Okey's coming to Holland. This he brought to Downing, and was instructed to send back word that the envoy had no order to apprehend or molest them, and "that they might be as free and safe there as himself".<sup>33</sup>

Downing, having lost Griffith, now consulted Colonel Killebrew,

<sup>28</sup> Downing to Clarendon, December 9, 1661. Clarendon MSS., vol. 105, f. 169.

<sup>29</sup> Same to same, January 13, 1662. Clarendon MSS., vol. 106, f. 43.

<sup>30</sup> Copy of letter in Downing's hand in Clarendon MSS., vol. 106. Dated December 24/January 3, 1661/2. The letter is enclosed in Downing's of January 13.

<sup>31</sup> Downing to Clarendon, January 13, 1662. *Ibid.*, f. 43.

<sup>32</sup> Same to same, January 27, 1662. *Ibid.*, f. 67.

<sup>33</sup> "Kick hath this weeke receaved another letter from Baxter wherein he still assures him, of his intentions of coming hither wth his friends in the spring, to meete their Wives here from England and desires to be informed by him, if there should be any thing of danger." Downing to Clarendon, January 27, 1662. *Ibid.*, f. 69. That Downing sent an answer is evident from the report of the friends of the regicides. They say that a friend was particularly engaged by Okey to acquaint Sir George Downing with their intentions in case he had no order from the king to seize them. Downing assured him he had no order to apprehend or molest them, but "that they might be as free and safe there as himself". The *Speeches, Discourses and Prayers of Col. John Barkstead, Col. John Okey, and Mr. Miles Corbet*, Thomason Tracts, 1416 C. 30. The tract says that Okey sent word. Downing says Barkstead. Undoubtedly the point about using Okey's name lay in the fact that he had been Downing's patron and benefactor.

head of one of the English regiments in the Dutch service. He brought Kick and Killegrew to an interview. Killegrew advised against attempting anything without a warrant from the Estates of Holland. He declared "absolutely that no man dares to undertake it without an order and that if any should that the Burgers would knock them on the head". This put poor Downing "into a very greate difficulty", for if he should undertake the task of seizing them without a warrant, and without an order from the king, and any harm should befall, he feared that the king would take it ill. "I would to God", he cries, "Griffith had kept his word or at least that I had his Ma<sup>ties</sup> expresse order which of these 2 wayes to take."<sup>34</sup> His uncertainty did not last long. Killegrew's assurances that nothing could be done without a warrant from the Estates of Holland decided him to give up his kidnapping programme, and to depend upon legal means, however hopeless they might seem.<sup>35</sup>

Barkstead and Okey reached Delft in the first weeks of March and went directly to the trusted Kick. The poor wretches engaged Kick, in whom their confidence was unlimited, "to goe wth this packet for England for their wives". Meanwhile they would lodge with him for the two nights before his departure on that errand. Downing determined to apply for a warrant from the Estates of Holland, and then without a moment's delay to go himself and superintend the arrest, having at last concluded that it was vain to depend on anyone else to do the work. He resolved to take with him Major Miles and any other English officers whom he could engage and enough people from his own household to make the arrest without the assistance of the local authorities, in case they should be unwilling to serve the warrant. Kick had brought the news on Tuesday, the 14th of March, and Downing at once set Thursday evening for the capture, and nine o'clock as the hour. He instructed Kick to invite Miles Corbet, another of the regicides then in Delft, to come to his house that evening to take supper with Okey and Barkstead, so that he might catch all three at the same time.<sup>36</sup>

Every step he took evidences his extreme cunning and ability. He waited until the last moment before applying for the order from

<sup>34</sup> Downing to Clarendon, February 28/March 10, 1661/2. Clarendon MSS., vol. 106, f. 114. Clarendon seems to have found fault with Downing for interviewing Killegrew about the matter, apparently thinking that the ambassador was attempting to get Killegrew to undertake the kidnapping. Downing at least writes that he had no intention of engaging Killegrew except for advice. To Clarendon, March 7/17, 1661/2. *Ibid.*, f. 122.

<sup>35</sup> Same to same. *Ibid.*

<sup>36</sup> Downing to Clarendon, March 7/17, 1661/2. *Ibid.*, f. 122.

the Estates, in order that the chances of warning being given to the regicides should be reduced to the minimum. On Thursday afternoon about half-past two, he applied to de Witt at the latter's house. He told that gentleman that now he had an opportunity to do the King of England a most "acceptable kindness" by procuring for him an order from the Estates of Holland for the arrest of three regicides. The order must be in Downing's hands before seven o'clock that evening, however, or it would be of no value. To make discovery still more difficult, Downing did not inform de Witt either as to the names of the persons to be arrested or as to their place of abode. De Witt, who was very anxious to secure good terms in the treaty then being negotiated between the provinces and England, was probably influenced by this consideration to go farther than he had ever gone before,<sup>87</sup> and so without getting the names of persons or place, he undertook to procure the warrant. Downing then returned home, and wrote out a request to the Estates for the grant of the warrant, and sent this to de Witt, who presented it to the Estates at six in the evening. The Estates, not having the names, were compelled to issue the warrant in blank, but with the condition that de Witt should procure the names and have them inserted before delivering the warrant to Downing, "for they would not trust me with a blank order". They neglected, however, to ask for the name of the place in which the warrant was to be executed. De Witt notified Downing that he must have the names of the persons, and Downing sent his secretary with the information. De Witt inserted the names in the warrant "with his own hand", and then gave the document to Downing's secretary, who at once carried it to his master.<sup>88</sup> Probably de Witt and the Estates never dreamed that the warrant could be served that evening, and were confident that by morning everyone in the Hague would know the names of the fugitives, and these would receive timely warning.

If such was their calculation, they reckoned without their host, for Delft is only a short four miles from the Hague and Downing's plans were all laid for immediate seizure. Major Miles and two other English officers were already at his house, and calling to his assistance a number of his own employees at the embassy he

<sup>87</sup> Downing's argument about doing the king an acceptable service is itself testimony to Downing's belief that this would appeal to de Witt. "Dat het den Koningh aengenaem, ende aen de Tractaten vorderlijck soude sijn." Aitzema, IV. 896. Aitzema is presenting this as an argument of Downing's. "En Hollande on fist au delà de ce qu'on devoit, pour tascher de s'acquérir l'amitié du Roy par une complaisance basse et indigne d'un Estat Souverain." A. de Wicquefort, *Histoire des Provinces Unies des Pays Bas* (van Buren's ed.), III. 76.

<sup>88</sup> Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 123.

hastened to Delft by boat, starting at about half-past seven. He reached Delft in good time and disposed of his men in the New Church yard, each man by himself, so that no suspicions might be aroused by seeing so many together. He and Miles then hurried off to the bailiff<sup>39</sup> of Delft, whose business it was to see the warrant executed. As he expected, the bailiff made difficulties, but finally sent Downing and Miles to the under-bailiff<sup>40</sup> who should see the order served. The under-bailiff seemed to have no more stomach for the job than his superior. However, he sent out for his police. But none of these officers could be found. Downing was on pins and needles, for fear that Corbet would have returned to his lodgings, and so would escape. He urged the under-bailiff to delay no longer, telling him that his men were not needed, since he himself had force enough at hand to make the arrest. At the same time he offered to pay him well for his trouble, being confident that a petty official would not be inaccessible to a bribe, especially when it was given as payment for doing his duty. The underling at once yielded. Downing collected his men from the churchyard, and under the lead of Miles they hurried off to Kick's house. Miles knocked and Kick himself came to the door. The crowd rushed in tumultuously and found the three men sitting before an open fire, smoking a friendly pipe of tobacco. Downing was just in time, for Corbet's lantern had been lighted, and in a moment he would have been off for home. The regicides sprang up at the sudden onslaught and rushed for their weapons, which they had left in another room. But the wily Kick had taken the precaution to lock the door of this room, and the poor wretches were overpowered without having the meagre consolation of defending themselves. The under-bailiff had now found his police and they came in and manacled the prisoners, "and so in the still of the night", says Downing complacently, "carried them to the prison where I took care that they were forthwith putt each into a sevrall roome and that no body shold come to speak wth them".<sup>41</sup>

Thus the first step in the well-laid plan had succeeded beyond the expectation of everyone excepting Downing. The men were caged. But the affair was by no means concluded with the successful arrest. Downing must now secure an order for their delivery to him. That very night he hastened back to the Hague, and the next morning he was at de Witt again to procure a second order from the Estates instructing the authorities of Delft to deliver the

<sup>39</sup> Schout.

<sup>40</sup> Onderschout.

<sup>41</sup> Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 123.

captives to him for their extradition to England. He also sent word to an English frigate then in harbor at Helvoetsluys to remain there to receive the prisoners.<sup>42</sup> De Witt could hardly refuse to get the second order, after having procured the first, so Downing's request was complied with, though the Estates of Holland found many excellent reasons why it should not be.<sup>43</sup> No sooner had Downing received this order, than he notified the bailiff of Delft, and the next day he rushed back to that town and delivered it to the bailiff. This official had no desire to give up the prisoners, and he at once objected that the order was addressed to him and the aldermen<sup>44</sup> and that he must consult them before taking any action. He would call them together, but the meeting could not be held before two in the afternoon. Downing said very well, he would wait. At two the aldermen met, but they pleaded that there was to be a funeral of importance that afternoon which they must attend. Consequently they could transact no business until after that event. But they would meet again at seven in the evening. They also called Downing's attention to the fact that by the terms of the order from the Estates they were to be satisfied that the men were the men named in the warrant.

Downing was annoyed, and complained to the bailiff of these pretexts, as he considered them. He said that he knew that the bailiff and aldermen had already twice visited the prisoners, and had been satisfied that they were the men named in the warrant. The bailiff was compelled to admit it. Having got this admission, Downing then offered the bailiff a bribe. He had made inquiries about the man, and had been told that he "was one that would do nothing without mony". So he promised him a reward if he would be true to his trust until the prisoners were in Downing's hands.<sup>45</sup> The bailiff was thus won. The aldermen met again at seven, but found that not enough of them were present to transact such important business. They promised that they would meet the next day at 11 o'clock.<sup>46</sup> This confirmed Downing's suspicion that they intended to find some pretext for releasing the prisoners. He

<sup>42</sup> Same letter. Clarendon MSS., vol. 106, f. 124.

<sup>43</sup> Aitzema, IV. 896. After giving the various arguments against the surrender, Aitzema concludes, "Maer alles wel overlegh, is raedtsaem gevonden de selve t'extraderen aen de Heer Downingh".

<sup>44</sup> Schepenen.

<sup>45</sup> Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 130.

<sup>46</sup> "They could not make their full number at that time wch they desired to have in a matter of that importance, but that without fayle they would meet the next day being Sunday at 11 of the Clocke after sermon and would then send me their answer by a servt of their owne." Same to same. *Ibid.*, f. 131.



trusted however that his promise to the bailiff would serve to engage that gentleman to keep the prisoners safe until he could discover some other expedient for getting them into his hands.

Meanwhile he was driven frantic by the efforts made to secure the release of the regicides. The bailiff himself assured Downing that he feared lest the "common people might go about to force the prison and let them out".<sup>47</sup> The magistrates of Amsterdam sent a message to those of Delft urging them to "let the Gates of the prison be opened and so let them escape".<sup>48</sup> Then the authorities of Delft made an effort to secure counsel for the regicides. At the request of the prisoners they summoned Kick to their presence and ordered him to go to the Hague to procure the services of "a very able Advocate" of that place. Kick, of course, went instantly to Downing. The ambassador, having heard the name of the lawyer, recognized it as that of a man who had held King Charles's commission in Holland as royal advocate during the interregnum. The man still held the commission, though he had no benefit from it. Nevertheless, the situation furnished him with a motive for coming to Downing for advice before acting. Downing, therefore, did not hesitate a moment to send Kick to the advocate with the message of the Delft authorities. As he expected, the lawyer came at once to him for advice. Downing asked him if it was customary for the authorities to secure counsel for prisoners, to which the advocate replied in the negative, and added that he gathered from the fact that he had been summoned that the authorities of Delft did not intend to surrender the prisoners. Downing then advised him to go to Delft at once, but instead of giving aid to the prisoners, he should warn his friends there "to have a care" not to assist the prisoners or let them escape, "wch accordingly he did very faithfully".<sup>49</sup>

Thus the regicides' hope of securing legal advice was thwarted, and the man whom they had counted upon to advocate their cause was particularly efficient in hindering them from receiving legal assistance. So vanished the most hopeful means of their securing their release, for the arguments in law for their discharge were so good that one of two things must have happened. Either they would have been at once set free, or so long a delay would have been interposed that popular sentiment would have made impossible their delivery to Downing. But even now the danger was by no means over. Two wealthy Englishmen came to Delft and offered large bribes to the bailiff and under-bailiff if they would let the

<sup>47</sup> Downing to Clarendon, March 14/24, 1661/2. *Ibid.*, f. 138.

<sup>48</sup> Same to same, March 21/31, 1661/2. *Ibid.*, f. 152.

<sup>49</sup> Same to same, March 13/23, 1661/2. *Ibid.*, f. 132.

prisoners go. To circumvent this attempt Downing forthwith sent his secretary and another of his servants to remain night and day in the prison.<sup>50</sup> He got them placed in a room next to that containing the regicides, so that they could look in upon them at any time and see that they did not disappear.<sup>51</sup> He also bribed all the watchmen and police of the town, so that they would be faithful in case of a popular rising to liberate the prisoners.<sup>52</sup>

Meanwhile the aldermen had held their Sunday session, but instead of voting to hand the miscreants over to Downing, they determined to send off a letter to the Estates of Holland pleading for the liberation of the prisoners. As soon as Downing learned this, he hastened off to de Witt and told him that "the Estates were now too farr ingaged to retreet and that this delatory boggling did spoyle all the grace of the busines". He requested that another order for the delivery of the prisoners should be given him, addressed solely to the bailiff, seeing that the aldermen would in all probability never consent to surrender them, whereas he was confident that the bailiff would stick in order to secure his reward. De Witt seems to have been convinced by his argument that having gone thus far the authorities could not refuse to go farther. He promised Downing that when the letter of the aldermen on behalf of the prisoners was read, he would see the matter through the Estates. But he must wait another day before this could be done, because the Estates would not meet sooner.<sup>53</sup> This was agonizing, for the prisoners were now creating a party in their favor among the members of the government. Moreover, the people of the country as well as many English men and women from Rotterdam were petitioning the Estates on their behalf,<sup>54</sup> and the Dutch lawyers "universally declared that it was against all right and reason" that the prisoners should be delivered to Downing.<sup>55</sup>

Meanwhile many Dutch notables visited the prison and heard the regicides' defense. These tried to arouse sympathy by asserting that they were Presbyterians; that they had taken arms in the late war simply to overthrow the bishops; that they were not regicides; that they had understood that Holland was a free country into which any man might come; that there was no proclamation forbidding their coming there, as in all honor there should have been if the

<sup>50</sup> Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 132.

<sup>51</sup> Same to same. *Ibid.*, f. 134.

<sup>52</sup> Same to same; *ibid.*, f. 133. March 14/24; *ibid.*, f. 136.

<sup>53</sup> Same to same, March 13/23, 1661/2. *Ibid.*, ff. 132-133.

<sup>54</sup> Same to same, March 14/24. *Ibid.*, ff. 136 and 138. See a petition of this sort in Aitzema, IV. 897.

<sup>55</sup> Downing to Clarendon, March 14/24, 1661/2. Clarendon MSS., vol. 106, f. 138.

country was not free to them; that they came with the intention of laying out ten thousand pounds to establish cloth manufactures among the Dutch.<sup>56</sup> In addition Okey and Barkstead exhibited letters under the seal of Hanau showing that they were citizens of that city.<sup>57</sup> They therefore besought that they should be released. The notables expressed their sympathy with the prisoners and promised that they would do all in their power to assist them.<sup>58</sup> Meanwhile crowds of people came with the notables, and as these would not allow the doors of the prison to be closed while they were present, Downing's servants were in an agony of fear lest the prisoners should escape.<sup>59</sup> On this Downing redoubled his precautions, sent more men to assist in watching the prisoners, and instructed his secretary not to be sparing in his largesses to the lower officials, and to reassure the bailiff in regard to the reward that was coming to him. On that night, Tuesday the 21st of March, a last desperate attempt seems to have been made to secure the liberation of the regicides. The under-bailiff tried to compel Downing's watchers to vacate the room in which they had hitherto held their guard and to remove to another room from which they could not look in upon the prisoners. No doubt the under-bailiff would then have permitted them to escape. An appeal to the bailiff thwarted this scheme, he ordering that the watchers should stay where they were, and sending one of his own people to remain at the prison and see that the order was obeyed.<sup>60</sup>

On the day that this last feeble attempt was made, the letter from the aldermen of Delft to the Estates of Holland was read in the Estates and de Witt fulfilled his promise to Downing. Instead of giving ear to the prayer of the aldermen in behalf of the prisoners, the Estates granted another order for their delivery to Downing. This time they directed it to the bailiff alone.<sup>61</sup> This would assure obedience to the order. Armed with this authority, Downing hastened once more to Delft resolved that "no other trick" should be put upon him. He handed the order to the bailiff, who at once agreed to execute it.<sup>62</sup> Downing had procured from the English frigate two officers and a guard of sailors, de Witt having assured

<sup>56</sup> Same to same, March 13/23, 1661/2. *Ibid.*, f. 133. March 14/24; *ibid.*, f. 136.

<sup>57</sup> Same to same, March 14/24, 1661/2. *Ibid.*, f. 139.

<sup>58</sup> Same to same, March 13/23, 1661/2. *Ibid.*, f. 133.

<sup>59</sup> *Ibid.*

<sup>60</sup> Downing to Clarendon, March 13/23, 1661/2. *Ibid.*, f. 134.

<sup>61</sup> Same to same. *Ibid.*, f. 133.

<sup>62</sup> Same to same. *Ibid.*, ff. 133 and 135.

him that no assistance would be afforded by Dutch officials, once the prisoners were surrendered to him.<sup>63</sup>

There still remained the problem of getting the prisoners out of the jail and on board the frigate without giving rise to a riot in the town. The Estates, in granting the last order to Downing, had desired him to have it executed with "all possible speed", fearing that there might otherwise be forcible opposition to the measure.<sup>64</sup> The bailiff assured Downing that he apprehended there would be a rising "if there were but the least notice of an intention to carry them away". After an anxious discussion, Downing

resolved in the dead of the night to get a boate into a litle channell which came neare behinde the prison, and at the very first dawning of the day without so much as giving any notice to the seamen I had provided . . . forthwith to slip them downe the backstaires . . . and so accordingly we did, and there was not the least notice in the Towne thereof, and before 5 in the morning the boate was without the Porto of Delft, where I delivered them to Mr. Armerer . . . giving him direction not to put them a shoare in any place, but to go the whole way by water to the Blackamore Frigat at Helverdsluice.<sup>65</sup>

The plan was carried out to the last detail, and Downing had reason to congratulate himself upon his precautions, for he was told the next day that "those of Delft say down right that if they had known wn they had been taken away a piece of paper meaning the Estates order shold not have taken them away".<sup>66</sup> But then it was too late. Downing had worked his will. Having delivered the prisoners to Armourer, he sat down at once and wrote the account of his triumph to Clarendon, from Delft at four o'clock in the morning of March 23, 1661. While he enlarged on his merits to the chancellor, the hunted wretches, who had made their long, arduous, and perilous trip from Germany to see the faces of their wives after long and bitter separation, were carried slowly through the canals of Holland in the chilly air of an early March morning, put aboard the *Blackamoor*, carried to England, and a few weeks later executed with all the indignities and horrors which English law then visited upon traitors.

The event surprised and astonished everybody. Such a thing had never been done before in Holland, Downing proudly declared,

<sup>63</sup> Downing to Clarendon. Clarendon MSS., vol. 106, ff. 133 and 134.

<sup>64</sup> Same to same, March 14/24, 1661/2. *Ibid.*, f. 138.

<sup>65</sup> Same to same. *Ibid.*

<sup>66</sup> Same to same, March 21/31, 1661/2. *Ibid.*, f. 153.

and "no body believed was possible to be done".<sup>67</sup> The testimony of the contemporary Dutch historians is to the same effect.<sup>68</sup> It is altogether probable that de Witt and his supporters had no idea that the thing could be done. The bailiff of Delft asserted to Downing that he had trapped the gentlemen of the Estates: "had they imagined you could have taken them they would never have given you an order to do it".<sup>69</sup> Moreover, the Estates probably thought that if worst came to worst, the people of the country were so bitterly opposed to the surrender that they would hinder it. Undoubtedly there was justification for such an opinion. Certain it is that the Dutch felt humiliated at the success of Downing's plans. They say, said Downing, that Holland is "no longer a free Countrey, and that no man is now sure here".<sup>70</sup>

The Dutch were depressed, but the English Royalists were elated. The king himself wrote Downing a "most gracious" letter. The gratified recipient answered in an epistle which reveals his fawning and servile nature in every line.<sup>71</sup> Clarendon also wrote praising him: "You did never any thing more advantageous to your selfe and your reputation then your conduct of this last businesse."<sup>72</sup> Secre-

<sup>67</sup> Same to same, March 7/17, 1661/2. *Ibid.*, f. 124. Again, "Every one is astonished that I shold carry it through there having been no proclamation to forbid these people this Countrey nor any Treaty wth his Majty that obligeth them to deliver them." March 13/23. *Ibid.*, f. 130.

<sup>68</sup> Aitzema, IV. 896, says of the Estates after the arrest, "Men was in der daedt gesurpreneert, ende als beschaemt; ende hadde wel gewilt datse duysent mijl van hier waren." Wicquefort (ed. van Buren), III. 77, says, "Ceux qui avoient le plus contribué à faire prendre une resolution si prejudiciable à l'honneur de la Province, et qui devoit faire exemple, firent bien les estonnés."

<sup>69</sup> "Mr. vous avez attrappéz Messrs. les Etats." Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, ff. 152-153.

<sup>70</sup> "And there is not a thing that hath happened these many yeares that hath occasioned so much discourse here, saying that they are now no longer a free Countrey, and that no man is now sure here." Same to same. *Ibid.*, f. 152.

<sup>71</sup> "What I have done is no more than my duty, and therefore had no reson to expect any acknowledgement therof, but to have it and that immediately from yrselfe under yr owne hand and in such termes is a favour and honour altogether surprising and confounding, such as I could not in my whole life have hoped to have attayned, nor can sufficiently admire and esteeme. I do from the day of the receipt thereof account myselfe perfectly and compleately happy, as having lived to see my King upon his Throne, and myselfe not only pardoned but received into his Grace employed and bestrusted by him and my poor endeavours thus accepted, And wt time more it shall please God to afford me in this world shall be no other than a continuall reall sacrifice of thanksgiving, joyned wth a redowbled inflamed zeale to the last moment more and more to approve myselfe in all humility and faithfullnesse,

yr Majtyes most Loyall and  
most obedient Subject  
and servant  
G. Downing."

Downing to the king, March 28/April 9, 1662. Clarendon MSS., vol. 106, f. 164.

<sup>72</sup> Japikse, p. 197, n. 3.

tary Morice assured him, "Wee doe heere al magnify your diligence and prudente conduct in the seisinge and conveyinge over of the regicides, and we think few others would have used such dexterity or could have compassed so diffcil a busines."<sup>73</sup> The voice of praise was not unanimous however. The friends of the regicides, while they admitted Downing's diligence and dexterity, had quite other thoughts about him. In a pamphlet written by some of them after the execution, they taunt him with his Judas-like betrayal of Okey, who they declare "gave him his first bread in England", raised him "from the dust", and "Cloathed and Fed" him "at his table" when he was nothing but a "New-England Tottered Chaplain".<sup>74</sup> What the world in general thought is well expressed by Pepys: "Though the action is good and of service to the King, yet he cannot with a good conscience do it." "All the world takes notice of him for a most ungrateful villaine for his pains."<sup>75</sup>

De Witt, too, was thanked, both by Downing in the name of the king and in the name of Clarendon,<sup>76</sup> and again by Clarendon on behalf of the king.<sup>77</sup> The king, at Downing's suggestion,<sup>78</sup> sent a grateful letter to the Estates of Holland<sup>79</sup> and personally thanked the Dutch ambassadors then in England.<sup>80</sup> All these gentlemen must have received the gracious acknowledgments with wry faces and uneasy consciences, for it was and is the opinion of all fair-minded men that the government of Holland came out of the affair very badly. Ludlow, though not an impartial judge, expresses in his *Memoirs* the prevalent feeling. He says:

The most remarkable matter in the entire transaction [was] the barbarous part acted by the States in this conjuncture, who, tho' they . . . to that time had made it a fundamental maxim to receive and protect all

<sup>73</sup> Morice to Downing, March 21/31, 1661/2. Add. MSS., 22919, f. 203.

<sup>74</sup> *The Speeches, Discourses and Prayers of Col. John Barkstead, Col. John Okey, and Mr. Miles Corbet*, p. 3.

<sup>75</sup> *Diary and Correspondence of Samuel Pepys*, under dates of March 12 and 17, 1662.

<sup>76</sup> Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 154.

<sup>77</sup> This is evident from de Witt's answer to Clarendon.

<sup>78</sup> Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 134.

<sup>79</sup> "His Majesty hath sent his thanks to the States of Holland for the respect showne to his Majesty in their ready assistance to apprehend and secure those 3 Regicides Miles Corbet, Okey and Barkstead now prisoners in the Tower of London." *Mercurius Publicus*, March 20-27, 1662, p. 184. See also Japikse, p. 198, n. 3.

<sup>80</sup> Ambassadors to de Witt, March 31, 1662. *Brieven, geschreven ende gewisselt tusschen de Herr Johan de Witt, ende de Gevolmagtigden van den Staet der Vereenigde Nederlanden*, vol. IV., p. 227.

those who should come among them; yet contrary to the principles of their government, and the interest of their Commonwealth, to say nothing of the laws of God, nature and nations, without any previous engagement to the Court of England, contributed as much as in them lay to the destruction of these gentlemen.<sup>81</sup>

That de Witt was ashamed of his part in the transaction is deducible from his behavior afterwards. He replied very coldly to Clarendon's letter conveying the king's thanks<sup>82</sup> and in writing to the Dutch ambassadors disclaimed any merit in the affair, declaring that he had merely acted as the servant of the Estates of Holland. He also expressed the wish that the ambassadors had not mentioned his name in their letter to the Estates describing their interview with the king.<sup>83</sup>

The members of the government of Holland also felt that they had acted badly, for many of them thought that a letter should be sent by the Estates to the king requesting leniency for the prisoners. One of the number came to Downing to confer with him as to the advisability of such action. His advice was that they sound the government in England before taking any such step, so as not to risk a rebuff.<sup>84</sup> De Witt thereupon made this suggestion to the Dutch ambassadors.<sup>85</sup> They replied that the king had expressed himself as exceedingly well satisfied with what had been done by the Estates in the arrest of the regicides. Also that the common speech in regard to the Dutch was favorably affected by the act. They were convinced that any intercession would be badly received and would destroy the excellent impression created by the arrest and extradition. As a consequence they had not thought it advisable to make any inquiries regarding the matter from anyone of credit.<sup>86</sup>

<sup>81</sup> *Memoirs* (ed. Firth), II. 331.

<sup>82</sup> De Witt to Clarendon, April 11, 1662. *Documents Inédits: Mélange Historique; Choix de Documents*, I. 219. See the same letter in Wicquefort, III. 78, n. 3, dated as of April 21.

<sup>83</sup> De Witt to the ambassadors, April 7, 1662. *Brieven*, IV. 228-229.

<sup>84</sup> "I did forgett to give yr Lordp an account that the Estates of Holland had many of them a greate minde to have had a letter written in the Estates name, to his Maty on the behalfe of the 3 prisoners at least that they might not be executed but one of them coming to me to sound me about it I told him that they would do well to be very carefull how they ingaged themselves in that kinde, but he still pressing very earnestly that the Estates could not do lesse wth many arguments which are not worth troubling yor Lordp with, I told him that they should do well in the first place to let their Ambrs underhand sound some at Court, and then they being upon the place, would be able to give them good and true Council, and by this meanes I putt him off." Downing to Clarendon, March 28/April 7, 1662. Clarendon MSS., vol. 106, f. 169.

<sup>85</sup> De Witt to the ambassadors, March 24, 1662. *Brieven*, IV. 225, postscript.

<sup>86</sup> Ambassadors to de Witt, March 31, 1662. *Brieven*, IV. 227. The entire episode furnishes an excellent illustration of de Witt's cunning, subtle, and sub-



The Hollanders thus completed their record of baseness and timidity, and the last faint hope of the regicides vanished.

After thanks came the more substantial rewards. Downing asked for £1,200 as necessary to cover the expenses of the capture and extradition.<sup>87</sup> Kick was to receive £600 of this, besides the promise of His Majesty's pardon, and a waiter's place in the custom's house in some good port in England.<sup>88</sup> The bailiff was to have not less than 200 pieces.<sup>89</sup> The under-bailiff and lesser officers were also to be recompensed generously. The police and watchmen of the town of Delft had also received considerable sums. Major Miles was to have a piece of plate worth forty or fifty pounds, while the two other English officers who assisted in making the arrest were to be given better places.<sup>90</sup> Sir William Davidson was made the king's resident in the Netherlands for Scotland.<sup>91</sup> Nor did Downing forget himself in his recommendations. He pressed for the fulfillment of a promise made to him of certain properties in the bishopric of Durham, and of a long lease of a house in what is now Downing Street.<sup>92</sup> There was no denying the value

terrenean methods, by which in more than one instance he succeeded in over-reaching himself. He always attempted to satisfy the wishes of everyone in appearance, and then thwart them by underhand dealings at the very moment they supposed themselves secure of their objects. When he attempted to employ this method with Downing, he found an adversary quite his overmatch in subtlety and cunning, as well as in decision and action.

<sup>87</sup> Downing to Clarendon, March 13/23, 1661/2; Clarendon MSS., vol. 106, f. 134. March 14/24: *ibid.*, 139.

<sup>88</sup> Same to same, March 7/17, 1661/2. *Ibid.*, f. 124.

<sup>89</sup> Same to same, March 13/23, 1661/2. *Ibid.*, f. 134.

<sup>90</sup> "Moreover, I must be generous to the Scout Under scout and his men and to the Officers of the prison, and I must pay for their carrying to the ship and give Lieut Willoughby and Lieut Ogle mony to carry them for England. . . . I would out of that mony bestow (if his Majty thought fitt) upon Major Miles a piece of plate of about 40 or 50 pounds, and for these two Lieuts who come over with them if his Majty would please to take notice of them as to some preferring at Dunkirk wn it falls or as to some employment for Portugall." Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 124.

<sup>91</sup> Aitzema, IV. 898.

<sup>92</sup> "I pray also that yr Lordship will pardon me if I putt you in mind that yr Lordship did give me a letter to Dr. Berwick the Deane of Durham that it was his Majtyes pleasure that I shold be considered as to my little pretension there but I had no benefitt thereby, and now there is another Deane and unless yr Lordship will be pleased of yrself to write effectually to him nothing will be done, wn Dr. Berwick left that place he did putt him that succeeds in mind of yr Lrdships Letter but nothing will come of it unlesse yr Lordship will be graciously pleased to make it yr Concerne, also yr Lordship was pleased to move his Majty as to my having a long lease of that howse in King Street in wch Mrs. Hamden lives and his Majty did in my hearing leave it to yr Lordship to see it done for me wth my Lord Tresurer, but as yet there is not any progresse therein, I make bold humbly to putt yr Lordship in minde heerof, and that you will be pleased heerin to take care of me." Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 153.

of his services and he received what he asked for.<sup>93</sup> Even de Witt was not ashamed to seize the opportune moment to solicit a favor from the English government. He "did earnestly . . . intreate" an order concerning his brother-in-law's ship of Amsterdam, taken by a "Portugall private man of warre and brought into Rye".<sup>94</sup> It is to be hoped that he received this small favor, for he, too, had earned a reward.

So ended this event, which made considerable noise in the world at that day, and certainly left everyone engaged in the capture to suffer the contempt of that and succeeding ages.

RALPH C. H. CATTERALL.

<sup>93</sup> Clarendon to Downing, March 28/April 7, 1662; Clarendon MSS., vol. 104, ff. 53-54. Same to same, April 11/21, 1662; *ibid.*, f. 56. Same to same, June 13/23, 1662; *ibid.*, folio unnumbered, but between 71 and 72. Downing sends thanks. To Clarendon, June 27/July 7, 1662; *ibid.*, vol. 106, f. 180. Clarendon to Downing, July 25/August 4, 1662; *ibid.*, vol. 104, f. 84.

<sup>94</sup> Downing to Clarendon. March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 154.

## THE AMERICAN INTERVENTION IN WEST FLORIDA

THE centennial celebration of the Louisiana Purchase brought once more into current use the term "West Florida" and applied it definitely to the territory lying south of the thirty-first parallel between the Mississippi and the Perdido rivers. Before this that area was regarded as a part of either the Florida or the Louisiana Purchase, while the term itself, if used at all, suggested an uncertain British or Spanish colony so early absorbed by neighboring states that its brief annals were of no concern in our national history. If one subscribes to the principle, "right or wrong, my country", there is much to justify, or at least explain, this neglect: but even with the restricted area mentioned above, West Florida has had a significance far beyond its mere size or productivity. Within its narrow limits centred the problems connected with our southern boundary, the navigation of the Mississippi and of the Mobile, and the defense of our southern frontier. During the critical decade following 1803 it was the scene of many minor frontier events that involved our diplomatic relations with the three leading powers of Western Europe. It had its prototype in the Natchez District, whose occupation in 1797-1798 rendered its own acquisition a foregone conclusion; while nearly every detail of its history affords a striking comparison with a like event in the history of Texas, New Mexico, or California. Indeed in 1830 Lucas Alamán, the Mexican secretary of state, expressly used West Florida as a warning example of what was then taking place in Texas, and Almonte and Santa Anna, thirteen years later, vainly attempted to forestall a like condition of affairs in California.<sup>1</sup>

The intervention by the United States in West Florida was due to two distinct causes—a spirit of territorial acquisition, expressing itself in popular clamor, fruitless diplomacy, and a series of frontier disturbances; and domestic revolt within the territory itself. The increase of American population in the southwest, particularly in the Natchez and Tombigbee districts of Mississippi Territory before and immediately after 1798, created a popular demand for an uninterrupted outlet to the Gulf of Mexico. This was only partially

<sup>1</sup> A copy of Alamán's memorial is in Mexican Despatches, III., Bureau of Indexes and Archives, Department of State. For other references see Garrison, *Westward Extension*, p. 27; Von Holst, *Constitutional History of the United States*, III. 110; H. H. Bancroft, *History of the North Mexican States and Texas*, II. 113, and *California*, vol. IV., ch. xvi.

appeased by the uncertain privilege of deposit at New Orleans or the later purchase of Louisiana, for the Mobile was secondary only to the Mississippi as a highway for our southwestern commerce, and still other streams might in the future acquire an equal prominence. The United States must possess all the territory east of the Mississippi in order to meet the commercial and defensive problems of our southern border and the wishes of an Anglo-American population on both sides of the line of demarcation. Indeed, from a physiographic standpoint a permanently divided sovereignty in the region was unthinkable.

To those citizens of the United States who lived just above the thirty-first parallel the exactions levied by the Spaniards on their commerce at Mobile and the temptation afforded by the presence at Baton Rouge of a Bourbon regimen lacking all prestige, were continual incentives to border forays or to personal controversies and animosities that almost exhausted the patience of both governments and led both to appeal to the sinister arbitration of Napoleon.<sup>2</sup> For nearly two decades our State Department attempted to deal with the problems presented by the spirit of expansion and ensuing frontier disturbances, either by directly purchasing the whole of the Floridas from Spain or by securing the strategic portion through untenable claims strengthened by subserviency to France or England. When diplomatic bargain or chicane failed to gain the coveted region, the inhabitants of West Florida took advantage of Spain's necessity to revolt and thus force the American authorities to intervene, for the double purpose of preserving order in their own contiguous territories and of realizing their territorial ambition. It was this intervention that brought the revolted region into the Union and ultimately led to the acquisition of the rest of the Floridas.

Jefferson had perceived the possibility of such a result while yet a member of Washington's Cabinet. Hearing that Governor Quesada of East Florida was inviting foreigners to settle in his territory, he thus expressed himself to his superior:

I wish a hundred thousand of our inhabitants would accept the invitation. It may be the means of delivering to us peaceably what may otherwise cost a war. In the meantime we may complain of this seduc-

<sup>2</sup> Cf. *American State Papers, Foreign Relations*, II. 678 ff.; Claiborne, *Correspondence*, vols. II. and III., *passim*; and *Spanish Notes*, vol. I., *passim*. The Claiborne Correspondence in six manuscript volumes is in the Bureau of Rolls and Library of the State Department. The manuscript volumes of the *Spanish Notes* are in the Bureau of Indexes and Archives, State Department. For permission to use these collections I am indebted to the officials in charge during the years 1903-1907.

tion of our inhabitants just enough to make them believe we think it very wise policy for them and confirm them in it.<sup>3</sup>

Meanwhile Jefferson and his successors, largely influenced by his direct suggestion and advice, skilfully utilized every diplomatic opportunity from the Nootka Sound episode to the overthrow of the Bourbon rulers of Spain to secure the Floridas. The offer to guarantee the remaining possessions of Spain beyond the Mississippi, the attempt to take advantage of European wars, the imbroglio with France and the threat of possible alliance with Great Britain, the specious reasoning that sought to include West Florida within the Louisiana Purchase, and even the shameless subordination of national honor at Napoleon's behest—all these failed to bring us the coveted territory. However, two decades of adroit public appeal had created a vigorous national sentiment in favor of this acquisition. At the same time Spain's repressive commercial policy, first at New Orleans and later at Mobile; her intrigues with the southern Indians and with certain political leaders of our western settlements; and her attempt to push the boundary line of the Floridas as far northward as the mouth of the Yazoo, had strengthened this sentiment into a feeling of intense resentment towards her declining colonial power.

The cession of Louisiana by France to the United States placed a new importance upon Spain's retention of the Floridas. In the opinion of the Marqués de Casa Yrujo, her minister residing in Philadelphia, this transfer threatened no worse result than clandestine trading by the Americans within the Mexican provinces, and even this practice could be checked, if not absolutely controlled, as long as Spain possessed the power to make reprisals from the Floridas. So far as more ambitious attempts of the western states upon Mexico were concerned, these could readily be neutralized, if Spain continued to possess the Floridas and Havana, by blockading the mouth of the Mississippi. The possession of the whole of West Florida, however, as well as East Florida, was essential to her purpose, and this formed an additional motive for Spain to resist all American attempts to wrest this territory from her.<sup>4</sup>

If the Louisiana Purchase emphasized the importance of the Floridas to Spain, it also brought into prominence the fact that

<sup>3</sup> Jefferson to Washington, April 2, 1791. MS., Miscellaneous Letters, vol. V., Bureau of Indexes and Archives.

<sup>4</sup> Casa Yrujo to Cevallos, August 3 and November 5, 1803, in Mr. Henry Adams's transcripts of Spanish State Papers, MSS., Bureau of Rolls and Library, Department of State; Spanish Transcripts, Department of Archives and History, Jackson, Miss.; also Robertson, *Louisiana under Spain, France, and the United States*, II. 69. 118. 147. 332.

most of the inhabitants of the Floridas expected and desired annexation to the United States. When, to their disappointment, the American commissioners accepted Louisiana without demanding West Florida, the inhabitants of the Bayou Sara region, who were mostly of Anglo-American origin, began a series of border outrages in which the Kempers gained an unpleasant notoriety. At the same time renewed Spanish exactions at Mobile aroused the resentment of the settlers of the Tombigbee region, largely peopled by recent American immigrants from Georgia, the Carolinas, and Tennessee. James Caller and Joseph P. Kennedy aspired to the leadership of the more radical elements of this population. On neither side of the line of demarcation did the local authorities seem wholly able to repress the disorders, although Harry Toulmin, the federal judge of this district, succeeded in checkmating the more ambitious filibustering projects against Mobile.<sup>3</sup> In time this lawless condition along both the Mobile and the Mississippi became a most potent argument in favor of American intervention.

While in these various ways the American spirit of territorial acquisition was working toward the ultimate absorption of the Floridas, conditions within these regions were gradually shaping themselves to the same end. The Creole population centring about Mobile seems to have been largely indifferent to the various international factors that were to determine their ultimate destiny and for the most part remained quiescent under the expiring Spanish authority. The forces that led to intervention in this region, therefore, must be sought for outside the territory itself, and are to be found in the filibustering plans mentioned above and the military necessity for the occupation of Mobile in 1813.

A far different condition of affairs obtained in the Baton Rouge jurisdiction. Here the population was almost exclusively Anglo-American. There was an element composed of Tory immigrants of the Revolutionary period or still earlier settlers who had passed directly from a British to a Spanish citizenship. There were those who because of British or Spanish sympathies had removed from above the line since 1798; and finally, later American immigrants whom the liberal land policy of the Spaniards had attracted into the region or who found there a ready asylum from the consequences

<sup>3</sup> See the authorities mentioned in note 2, and also Lieutenant-Colonel Richard Sparks to the Secretary of War, July 12, 1810, MS. in Papers Relating to Revolted Spanish Provinces, Bureau of Rolls and Library; *National Intelligencer* for November 7 and 13, 1810; *AMERICAN HISTORICAL REVIEW*, II. 699 ff.; and Miss. Territorial Archives, MSS., Department of Archives and History, Jackson.

of crime or debt.<sup>6</sup> By 1810 the greater portion of each of these classes of West Florida's ill-assorted population regarded American domination with favor. To these Napoleon's overthrow of the Bourbon dynasty in the Spanish Peninsula was a signal rather than a cause for revolt. Aside from the time-factor West Florida had nothing else in common with the contemporaneous outbreaks in Mexico, Caracas, and Buenos Ayres. The dominant faction of its population simply seized the opportunity to join the American Union by a somewhat devious method. The Baton Rouge jurisdiction of West Florida, and more particularly the Bayou Sara or Feliciana District thus forced American intervention. Viewed from this standpoint, as a frontier rather than a diplomatic event, intervention seems inevitable and can be interpreted in a more natural way than has hitherto been employed.

The key that serves to explain this event and to connect the West Florida revolt with preceding diplomatic and border conditions is to be found in the correspondence of Madison's two chief agents—Governor W. C. C. Claiborne of Orleans and Governor David Holmes of Mississippi.<sup>7</sup> Their territories bordered upon the region in dispute, were separated by it, and thus rendered subject to possible foreign invasion. It was only natural, then, that from the very beginning of their administrations they should display an active interest in whatever was happening in the neighboring Spanish province. For many years Governor Claiborne's letters emphasize the unsatisfactory conditions existing on the West Florida border, and his active knowledge of the situation enabled him, at the critical juncture, to advise the American government as to its proper course. Holmes had only a few months' experience as governor of Mississippi Territory, when the West Florida question was thrust upon him, but his tact, geniality, and common-sense had already established his hold upon his own people and had recommended him to the population of the neighboring territory; so that his part in the critical events of 1810 was both helpful and successful. It is to his correspondence that we must turn for the best

<sup>6</sup> Claiborne states in a letter to Robert Smith, December 17, 1810, Claiborne Correspondence, vol. VI., "My impression is that a more heterogeneous mass of good and evil was never before gathered in the same extent of territory." For other references see A. Ellicott to the Secretary of State, January 10, 1799, in Southern Boundary, Andrew Ellicott Papers, MSS., Bureau of Rolls and Library; and McMaster, *History of the People of the United States*, III. 369.

<sup>7</sup> Note 2 mentions the Claiborne Correspondence, of which vol. VI. relates to the intervention in 1810. Governor Holmes's communications are to be found in Proceedings of the Executive Council and Legislature in the Mississippi Territory and Governor's Correspondence in the Mississippi Territory. MSS., Bureau of Rolls and Library.



account of the events which resulted in the American intervention.

In 1807 General James Wilkinson brought to the attention of the administration a "letter from a Gentleman in New Orleans" (probably Claiborne) of which he gave the following significant extracts:

Since your departure from this place, discontent begins to assume a very formidable aspect amongst the people of West Florida. They are ripe for violent measures. Two of their head men are now in this place, who tell me "that if the United States will not protect them they will solicit the assistance of England." The taking of Baton Rouge and Pensacola they speak of as matters of trifling achievement. They have about 400 men who will follow their standard to any length they please. This is the time, in my opinion, for the U. S. to make a speculation, as the floridians say they want no assistance in taking the country, and that all they would ask from Great Britain or any other power would be to maintain them in the possession which they had taken. . . . I wish you would feel Mr. Jefferson's pulse on this subject, if he is near you, and return me an answer by mail. One of the agents, a Captain whom you know, has seen this and will defer his visit to England until you answer me. His object is to effect the thing at all events and [he] feels sanguine that should the U. S. not be disposed, he will be able to induce the British to once more establish their Government at Pensacola.<sup>8</sup>

Jefferson's pulse was then experiencing an unexpected flutter on account of the unwarranted attack upon the Chesapeake; and from this fact the menace of British intervention in West Florida, so strongly emphasized in Claiborne's letter, acquired an additional significance. Hitherto Great Britain had shown no readiness to interfere in the affairs of that region, but the case might be different if engaged in war with the United States and urged to that end by a considerable faction of the Florida people who had formerly been British subjects. Our commissioners, therefore, must exert diplomatic pressure, through threats of ultimate appeal to force, to induce Spain to accommodate her differences with our government at the earliest possible moment.<sup>9</sup> Later instructions show that they were to continue to invoke the sinister aid of Napoleon to that same end.

The concluding period of Jefferson's administration and the first few months of the next were marked by a policy of chafing delay and indecision in regard to Florida affairs. In order to avoid paying for the coveted territory by an alliance with France against England, Jefferson at one time favored independent action on the part of the United States against Spain or at any rate a definite

<sup>8</sup> Papers in Relation to Burr's Conspiracy, MSS., Bureau of Rolls and Library. The extracts are endorsed: "Undated but probably June, 1807."

<sup>9</sup> Madison to Armstrong and Bowdoin, August 2 and October 18, 1807. Instructions, vol. VI., MSS., Bureau of Indexes and Archives.

agreement with that power.<sup>10</sup> This apparent determination to depend upon our own diplomacy, backed by definite action on the Florida frontier, was followed by the suggestion, made in August, 1808, that if England should prove more conciliatory the United States might take advantage of Napoleon's campaigns in Spain "to seize our own limits of Louisiana" (*i. e.*, West Florida to the Perdido), and "the residue of the Floridas as reprisal for spoliations".<sup>11</sup> Early in the following year he again inclined to seek Napoleon's aid in the matter.<sup>12</sup> He passed from office with the Floridas still outside the Union, but he felt confident that his successor would secure them, as well as Cuba, by the voluntary proffer of their inhabitants.<sup>13</sup> Rumor, indeed, accused Jefferson of stating his belief in the terse expression: "We must have the Floridas and Cuba." This report irritated the French minister, Turreau, and Madison hastened to inform him, through Gallatin, that:

We are and we wish to be strangers to all that passes in the Floridas, in Mexico, and also in Cuba. You would be mistaken if you supposed that Mr. Madison wishes the possession of the Floridas. That was Mr. Jefferson's hobby . . . it has never been the wish of his Cabinet; and Mr. Madison values to-day the possession of the Floridas only so far as they may be thought indispensable to prevent every kind of misunderstanding with Spain, and to secure an outlet for the produce of our Southern States. We have had no part in the meetings which have taken place in the Floridas.<sup>14</sup>

There is every evidence from Madison's past opinions and from his conduct in the immediate future that Gallatin more nearly represented his chief's real views when he spoke with reference to Cuba, than when he gave utterance to the above sentiments regarding the Floridas. At this point it may be well to note that the diplomatic factors over which Jefferson vacillated in 1809 were precisely those which he had discussed in the Nootka Sound episode, nearly twenty years before. Measured by results this diplomacy had gained for the United States—with but little personal credit for himself however—the settlement of the southern boundary, the free navigation of the Mississippi, and the Louisiana Purchase. These were all vital events in our national territorial history, but the very region so greatly desired in 1790 was still an alien possession; while the problem of Indian relations and other frontier issues, of unadjusted boundaries, of commercial restrictions and spoliations, rested upon our State Department with scarcely diminished pressure.

<sup>10</sup> P. L. Ford, *Writings of Jefferson*, IX. 134, 140, 195.

<sup>11</sup> *Ibid.*, p. 203.

<sup>12</sup> *Ibid.*, p. 243.

<sup>13</sup> *Ibid.*, p. 251.

<sup>14</sup> H. Adams, *History of the United States of America*, V. 37, 38.

If diplomacy based upon untenable claims and Spanish necessity had failed in its immediate purpose to acquire the Floridas, conditions in that portion of West Florida bordering on the Mississippi soon showed that the desired result might be brought about by the people of the region itself. In April, 1810, the adventurer, Samuel Fulton, now a Spanish subject residing at Baton Rouge, tendered his services to Madison, in case Spain succumbed to Bonaparte and Congress and the President desired to take possession of the contiguous territory. To justify his proffer he referred to an earlier tender of his services in 1803, when he had resigned from the French army; and stated that his position, as adjutant-general of the West Florida militia, which he had organized "in a highly creditable manner", and his knowledge of the country might render his "services useful to the government".<sup>15</sup> More effective than this offer, which may be regarded as typical of the attitude of many leading citizens in West Florida, were the reports of Governor Holmes of Mississippi, supplemented by the personal representations of Governor W. C. C. Claiborne.

In 1810 the latter was granted a leave of absence to visit Washington and vicinity, and while at the seat of government he seems to have gained the assent of President Madison to his plan of intervention, suggested three years before. The prospect for success at that time doubtless recommended such a policy to the American executive, who was wearied by years of futile diplomacy. At any rate, on June 14, 1810, Claiborne was empowered to write to William Wykoff, jr., a member of the Executive Council of Orleans Territory, advising him that in view of the prospect of South American independence West Florida might likewise seize the opportunity to become free. As the United States claimed this territory, such a move would mean that our government must intervene. It was highly desirable, however, to have this brought about as the result of an invitation from its people. "Can no means be devised", he asks, "to obtain such a request?" He mentions the presence of a French, an English, and an independent party among the people, but believes that none of these can realize its desire. "Nature has decreed the union of Florida with the United States", he affirms, "and the welfare of her inhabitants demands it." Wykoff was thereupon empowered to visit West Florida as an emissary of the United States, to reassure its inhabitants of the welcome they would receive from our government, and to suggest

<sup>15</sup> Samuel Fulton to Madison, April 20, 1810. MS., Madison Papers, Lenox Library. For permission to use this material I am indebted to Mr. Wilberforce Eames. For notice of Fulton, see *AM. HIST. REV.*, X. 270, n. 1.

a convention of its people, as far east as the Perdido, as the best means of bringing about a united request for American intervention.<sup>16</sup> This letter suggests that the American officials, influenced by Claiborne's representations, now preferred to secure their ends by a revolt, which would exhibit the appearance of spontaneity and at the same time conceal the real agency of our government.

By a coincidence that suggests previous collusion, the people of West Florida were even then pursuing almost the course that Claiborne outlined. On the 20th of June, 1810, Governor Holmes of Mississippi wrote to Robert Smith, secretary of state, that anarchy ruled throughout the neighboring province, where the regular authorities had ceased altogether to exercise their functions and voluntary police associations were absolutely ineffective. With regard to its future status the mixed population was divided into different national factions, of which the most important, the American, desired ultimate annexation to the United States. The leaders of this faction did not favor immediate action for fear of involving themselves in a premature revolt. Yet Holmes felt they would run this risk rather than to submit longer to anarchy or to foreign rule. The slave population and the refugee element were to be feared because of their influence upon contiguous American territory; but Holmes did not anticipate the intervention of any foreign power with the possible exception of Great Britain, and of the probability of this the Washington authorities would best know.<sup>17</sup>

It was nearly two months before Madison advised his incompetent secretary how to answer this communication. Governor Holmes was to keep a "wakeful eye" on West Florida and promptly to transmit any interesting reports therefrom to the seat of government. He was likewise to have his militia ready; and in case of foreign intervention or "internal convulsions" he was to protect the rights and interests of the United States "by every means within the limits of executive authority". So far Madison's advice might apply to any frontier commander in any emergency, but in view of Claiborne's previous attitude as shown by his letter to Wykoff, his closing words are extremely suggestive. "Will it not be advisable to apprise Governor H[olmes] confidentially of the course adopted as to W[est] F[lorida] and to have his co-operation in diffusing the impressions we wish to be made there?"<sup>18</sup>

<sup>16</sup> Claiborne Correspondence, VI.

<sup>17</sup> Gov. Cor. Miss. Ter.

<sup>18</sup> Hunt, *Writings of Madison*, VIII, 105. The original letter bears the date of August 17, 1810, and is found in vol. 34 of Miscellaneous Letters, MSS., Bureau of Indexes and Archives.

In the meantime Holmes was using his "wakeful eye" and the citizens of West Florida were acting in a manner that showed little necessity for "diffusing" Madison "impressions". Holmes, a former Virginian, with a long service in Congress, probably knew thoroughly the wishes of the administration. As a territorial executive on a distant and exposed frontier, he knew of but one solution for the problem before him—ultimate annexation to the United States. To this end, therefore, he worked slowly but cautiously, and, just as a few years before, Louisiana came to us as a gift from Napoleon without any significant effort on our part, so now West Florida came into the American Union as the gift of its own people. Much of the credit for this final peaceful result is due to Holmes, because of his tactful common-sense, his frank and sincere interest in the task before him, and the prudence which marked each successive step in his policy. Moreover, it should be remembered that he acted without instructions from the seat of government, aside from one non-committal missive, until the latter part of September.

On the 1st of July the people of the Feliciana District, the most populous of West Florida, held a meeting for the purpose of proposing a general committee to exercise the powers of government in the province, with the co-operation of the existing Spanish officials. "You may readily conjecture", wrote Holmes on the 11th, "how this business will eventuate. I am satisfied, from a knowledge of the sentiments of some of the most respectable of the inhabitants, that the whole may be considered as incipient to the measure of asking protection of the United States." For his own part he adds, "that he utterly forebore to express his opinion as to the probable action" of our government.<sup>19</sup> Before the end of the month the four western districts of West Florida had organized a convention of sixteen men to assist Governor De Lassus "to promote the safety, honor and happiness of our beloved king, Ferdinand VII." At least so runs the published statement of its action, but Governor Holmes had direct information that betokened a different purpose. There were so many parties that the members of the convention were uncertain what course to pursue. While the majority desired annexation to the United States, they hesitated to ask openly for assistance, lest they should be overwhelmed by forces from Havana before the United States could act upon their application.<sup>20</sup> This

<sup>19</sup> Proceedings of the Executive Council and Legislature in the Mississippi Territory, vol. I.

<sup>20</sup> Holmes to R. Smith, July 31, 1810. Gov. Cor. Miss. Ter. Cf. also *National Intelligencer*, September 3 and 24, 1810.

situation suggests the conditions which later accompanied the annexation of Texas. To add to the confusion of the members of the Florida convention, there were rumors that a filibustering force was being organized in the Mississippi Territory to assist them in winning their freedom. This, with premature newspaper reports of their independence, prevented cordial relations with Governor De Lassus.<sup>21</sup>

At the next meeting of the convention, which occurred on the 13th of August, Holmes, in keeping with the instructions of Secretary Smith, sent his own personal agent, Colonel Joshua G. Baker, to ascertain the real views of the leaders and of the people at large. The convention was in session three days and then adjourned to permit De Lassus to act upon its measures. Its members did not expect him to approve their action, so they were deeply anxious to ascertain whether Governor Holmes had any definite instructions to intervene, in case they needed his aid. When Colonel Baker returned to Mississippi Territory, therefore, he was accompanied by one of the members of the convention and likewise bore letters from its president and from some of its prominent leaders, which clearly revealed their anxiety to secure American intervention. The most frank expression of opinion was given by Mr. John H. Johnston, who emphasized the corrupting influences of the "villainous Court sycophants" who were enabled to "batten on the spoils of the land" because so large a portion of the population consisted of American refugees or ignorant time-servers. This condition of affairs rendered necessary the devious methods which the "reformers" were pursuing. Such a population, he wrote, needed to be placed "under the conduct of a wise guardian who will transform them from slaves to men. Such a guardian we see in the United States, who is our mother, and I am confident that I say the truth when I say two-thirds of the inhabitants of this country complain that she has been tardy and has treated them with neglect."

He mentions the possibility of incurring Spanish vengeance if they break with the governor and asks whether the United States will then receive them into her "bosom". He then inserts an illuminating question: "If it is necessary for the convention to formally declare the province independent of Spain and call upon the United States for protection, will it not be proper to insert therein two or three stipulations of consequence to us but not interesting to the United States?" Aside from these conditions, which could not be considered "after annexation", they would

<sup>21</sup> *Democratic Clarion and Tennessee Gazette* (Nashville), July 27, 1810. Holmes to R. Smith, August 8, 1810, Gov. Cor. Miss. Ter.

"cheerfully submit in all things to the federal constitution". His "stipulations" were, that British land titles should be disregarded when the same holding was covered by a Spanish title, and, with certain express exceptions, a general amnesty to all Tories, deserters, and fugitives from justice.

These conditions seemed to imply that the "reformers" engaged in overthrowing the existing Spanish government were not wholly unselfish in their policy and that they hoped in this manner to obtain a reward in the form of free lands for the risk involved in their devious method of bringing about American intervention. Their attitude likewise seems to show that Colonel Baker, Holmes's agent, had been more than a passive spectator at the West Florida convention. His superior, however, told its representative that he had no instructions to justify his interference in West Florida. He was merely to collect and transmit to the seat of government information of the events that might happen there, but personally he hoped that all these "would eventuate" for the good of its people. In his letter to Secretary Smith he cautiously ventures to arouse the administration by suggesting upon the basis of a newspaper report that Governor Folch had just returned from Havana to Pensacola with a large force of troops that rumor said were destined for service at Baton Rouge.<sup>22</sup>

Governor De Lassus, contrary to general expectation, acceded to the measures adopted by the convention; but Holmes wrote in his next despatch that, "this surrender was not a matter of choice on the part of the governor" and, accordingly, the apparent harmony between him and the convention could not be of "long duration". Holmes did not believe the people desired to maintain an independent existence, nor was French intervention to be considered nor British intervention tolerated, even with the prospect of an excellent market in England for the surplus products of West Florida. He thought that the American party in that province would bring this matter before Congress at its next session, unless defeated by the activity of British agents.<sup>23</sup> It is interesting to note that this same course of action—an appeal to Congress supported by the fear of British aggression—characterizes certain stages of the later annexation movements in Texas and California.

As Holmes anticipated, the harmony between De Lassus and the convention leaders was broken on Saturday, September 22, when the latter, fearing treachery on the part of the Spanish governor, instructed their military representative, Philemon Thomas, to capture

<sup>22</sup> Holmes to R. Smith, August 21, 1810. Gov. Cor. Miss. Ter.

<sup>23</sup> Holmes to R. Smith, September 12, 1810. Gov. Cor. Miss. Ter.



the fort at Baton Rouge. Thomas accomplished this early on the morning of the twenty-third, at the same time seizing the governor, and three days later the convention formally declared the independence of West Florida. On Monday, September 24, Holmes learned of the determination of the Florida convention to attack Baton Rouge, and this report was supplemented on the following day by a letter from Pinkneyville telling of its capture. This letter was accompanied by a petition asking for a mobilization of both regular troops and territorial militia to protect the border from possible disturbance arising from anticipated disorder in West Florida.<sup>24</sup>

One who is at all familiar with conditions then existing along the West Florida frontier, is inclined to suspect a petition of this character from such a storm centre as Pinkneyville. The outrages of the Kempers had given the region an unpleasant notoriety. Doubtless its inhabitants desired absolute security for themselves and their possessions, especially their slaves, during the upheaval in West Florida, but an equally strong motive was their wish to give the revolutionists all possible support. Many of their more adventurous citizens were already enrolled under the banner of the new state, and in their absence the territorial militia or the regulars might well assume the task of frontier defense. At the same time the presence of these levies, in view of the open sympathy of the Mississippi population, could not fail to encourage the West Florida revolutionists and their active adherents from the bordering territories.

From the manner in which Holmes received this petition there are strong reasons to suspect collusion between Abner Duncan, of Natchez, who bore it to him, and Dr. R. Davidson, of Pinkneyville, who prepared it. Duncan was the messenger from the West Florida convention, who, on September 24, gave Holmes an account of its action on the 22d. At midnight on the day following his first report, he brought to the governor Davidson's letter and petition of that date, September 25, telling of the fall of Baton Rouge on the 23d. Duncan had probably arranged for the transmission of this news, but it is significant that the letter giving it should have been accompanied by a petition to mobilize the Mississippi militia, signed by only a few signatures. The writer hoped that more "would not be necessary to induce the Governor to make the diversion required". American officials of this period certainly cannot be charged with remissness towards West Florida, and any danger that Duncan or

<sup>24</sup> Holmes to R. Smith (with enclosures), September 26 and October 3, 1810. Gov. Cor. Miss. Ter. Also *Democratic Clarion and Tennessee Gazette*, October 5, 1810, and *National Intelligencer*, October 19 and 26, 1810.

Davidson might overreach themselves by their haste was removed by Holmes's prompt action.

The Mississippi executive immediately requested Colonel Cushing to prepare two companies of regulars for patrolling the frontier at Pinkneyville, in order to guard against fugitive slaves from below the line and possible filibustering parties above. Later he changed this detail to one company for patrol duty and one company to be held in readiness at Fort Adams, and emphasized the danger from possible insurrection amongst the slaves. During the next few days he also issued orders to mobilize the whole territorial militia, and by so doing indicated a desire not only to protect his own jurisdiction but suggested the possibility of moral support to the Florida "Conventionalists". At any rate he reports in a later letter that when a "very considerable force" assembled in the lower portion of West Florida to oppose the movement for independence, the energetic conduct of the convention and their having had the address to turn to their entire advantage the nearness of this government (*i. e.*, Mississippi) "speedily overcame all opposition without bloodshed. This event was brought about as much from motives of humanity as from a just regard to the interests of the United States", although it was very probable that the tranquillity of Mississippi would have been "affected by a different result".<sup>25</sup> The governor thus acted for the best interests of the insurgents and for those of his own territory as well—a double purpose that had actuated him from the beginning.

On the 26th of September, Holmes forwarded to the seat of government a report of his precautionary measures and of events occurring in West Florida as late as the 24th. On the 28th he received a long-delayed despatch from John Graham, the assistant secretary of state, bearing the date of July 30. This was written before Madison's instructions to Smith, bearing the date of August 17, but from enclosures Holmes now learned the real attitude of the national government and that his own course in general had been in accordance with its wishes. It is a commentary on the lack of efficient means of communication and also on government methods of that day that he had received only one other communication from the State Department since his own letter of June 20. It speaks much for his ability that he had handled so well a situation which meant much to his country's future welfare. In his reply to the secretary he expressed regret at the delay in receiving this despatch. It left Washington on the 1st of August, and had it reached him on

<sup>25</sup> Proceedings of the Exec. Council . . . Miss. Ter., vol. I., and Holmes to R. Smith, October 3 and October 7, 1810. Gov. Cor. Miss. Ter.

the 24th of that month, as it should, he might already have had his militia in active service. But he hastened the mobilization in accordance with these later instructions.

Holmes's previous letter of September 26 informed Madison of the prospect of realizing his hopes in regard to West Florida but put him in a quandary; and as usual in such a case, he reported the matter to his political mentor, Jefferson. Personally his feelings and interests were aroused by the events in West Florida, but he doubted his executive authority to act. He thought he should await the action of Congress at its approaching session, although for seven years past he had maintained that the territory belonged to the United States and believed that in view of this claim and of previous Congressional actions he might fairly take possession of it. The successful party at Baton Rouge had not yet made any "communication or invitation" to the government of the United States, although, as we have seen from Holmes's correspondence, he fully expected it to do so, or to apply to Great Britain. This latter prospect led him to conjure up the spectacle of a "quadrangular contest" in which Great Britain, France, and Spain would forget the animosities of the past generation in order to make common cause against their upstart imitator in the West.<sup>26</sup>

In the course of the next eight days Madison received another communication from Holmes, dated October 3. This enclosed a copy of the West Florida Declaration of Independence, passed on September 26, a personal address of the West Florida convention to Holmes, and an explanatory letter addressed by its president, John Rhea, to the Secretary of State. It is interesting to note that in the folio edition of the *American State Papers* these documents are published as enclosures in Governor Holmes's despatch of October 17.<sup>27</sup> Madison certainly had them before him when he issued his proclamation of October 27 and directed his Secretary of State how to instruct Claiborne to take possession of West Florida. One is naturally tempted to inquire what impression Madison wished to create by postdating the receipt of these documents. We can only surmise that he was led to do so by the interview which Robert Smith held with the French minister, Turreau, on the 31st of October. In this interview Smith employed the following language, or at least Turreau so reported to his government: "As for the Floridas I swear, General, on my honor as a gentleman not only that we are strangers to everything that has happened, but even that the Americans who have appeared there either as agents or leaders

<sup>26</sup> Hunt, *Writings of Madison*, VIII. 109.

<sup>27</sup> *Am. State Papers, For. Rel.*, III. 395.

are enemies of the Executive, and act in this sense against the Federal government as well as against Spain."<sup>28</sup>

In view of the fact that both Smith and Madison certainly did know every step of importance regarding the revolt in West Florida up to the end of September, and that the real leaders there had so far clearly forecast the wishes of the Executive and were working in the fullest possible harmony with his immediate representative, Governor Holmes, this language seems to suggest that Smith was exemplifying the reversal of the well-known definition of a diplomat and was lying at home for the good of the country abroad. The necessity certainly rested upon the American government to justify Madison's proclamation of October 27 and the ensuing instructions to Claiborne; but the President and his Secretary of State could only do so by affecting ignorance of the events that led up to the declaration of independence in West Florida. It is hardly likely that they succeeded in deceiving Turreau, or the more astute Bonaparte, who had long been toying diplomatically with the wishes of Jefferson and Madison to possess the Floridas; but the arch-despoiler of Spain acquiesced in this act of minor territorial plunder, in view of the exigencies of his own commercial policy in Europe. West Florida was a petty price to pay for even the partial adherence of the United States to his continental system.<sup>29</sup>

A month later, on the distant West Florida border Claiborne and Holmes were jointly planning how to carry out the President's instructions in the most effectual manner, and with the least possible disturbance. By this date such a move presented much greater difficulties than would have been encountered a few weeks earlier. The faction that pretended to favor the continued independence of West Florida, or rather, that wished to make terms with the American authorities before entering the Union, had gained control of affairs, secured the adoption by the convention of a regular constitution, patterned after that of the United States, and, on November 7, had elected Fulwar Skipwith as governor, together with members of a senate and house of representatives. Governor Skipwith was inaugurated on November 29, when the new lone star republic began its formal but short-lived career.<sup>30</sup> A force of one hundred men was being organized for operations against Mobile, which Kemper and Kennedy, with an irregular force of Florida volunteers and American filibusters, were already attempting to

<sup>28</sup> H. Adams, *History of the U. S.*, V. 313.

<sup>29</sup> *Ibid.*, p. 383.

<sup>30</sup> H. L. Favrot in *Publications of the Louisiana Historical Society*, vol. I., part III., p. 22, 26.

reduce. The presence of these armed levies and the reported determination of those in control not to submit to the United States without terms in regard to land titles and to refugees, rendered it necessary for the allied governors to prepare the minds of the people to receive them, and at the same time to overawe possible opposition by a show of adequate force. Accordingly they determined to send trusty agents to distribute printed copies of the President's proclamation throughout the territory. At the same time they were to obtain from Colonel Covington as an escort for Claiborne all the regular troops then available. Lieutenant-Colonel Pike was also to hasten the mobilization of the remaining regulars, and the Mississippi militia officers were to hold their commands in readiness for any emergency. These movements were to be directed simultaneously towards Baton Rouge and Mobile, but both governors in person were to undertake the reduction of the former place, Holmes proceeding overland, while Claiborne pursued the river route with the military escort.<sup>31</sup>

Having secured the speedy and quiet adjournment of his own territorial legislature on December 4, Holmes left Washington, Mississippi Territory, for St. Francisville, in West Florida, some twenty miles below the line of demarcation. On the evening of the same day Claiborne reached Fort Adams, and on the following morning dispatched two messengers below the line to distribute the proclamation at St. Francisville and at Baton Rouge, to collect all the available information, and to sound the sentiment of the people regarding intervention. One of the agents, Osborne, began his work on that day, so that when Holmes reached St. Francisville the following noon, he found the people in a state of great excitement. Just a week before Fulwar Skipwith had here been inaugurated as governor of the independent state of West Florida. He and many of his fellow-officials still lingered at St. Francisville preparatory to moving on to Baton Rouge where the next session of the legislature was to consider the ambitious programme which he had outlined in his inaugural address. It was this complacent dream of independent sovereignty, or more correctly, of ambitious dickerings with the

<sup>31</sup> The best account of the actual events of the intervention at St. Francisville and Baton Rouge is afforded by the two chief sources already extensively used, *viz.*, the Claiborne Correspondence, especially Claiborne's letters to Robert Smith from October 30, 1810, to January 3, 1811, as given in vol. VI., and the long report of Holmes to Smith, dated January 1, 1811, in Gov. Cor. Miss. Ter. There are a few items of interest in Proceedings of the Exec. Council . . . Miss. Ter., I.; in vols. 34, 38, and 47 of Miscellaneous Letters; in the Monroe Letters of the Lenox Library; in the Monroe Papers, vol. XII., MSS., Library of Congress; and in the newspapers. The accounts in the *National Intelligencer*, however, are obviously drawn from Claiborne's and Holmes's reports.

American Union on an independent basis, that Madison's proclamation so rudely shattered, and it is no wonder that those who had expected to profit by the transaction resented the loss of their petty advantage.<sup>32</sup>

The majority of the people were ready to welcome the authority that brought to them American citizenship, even in this unexpected guise. Relying upon this sentiment, Holmes, immediately upon his arrival, addressed himself to the task of reconciling the disaffected to the President's policy. The latter official, he explained, had acted in an executive capacity, with only the Louisiana Treaty and certain acts of Congress to guide him, and accordingly he could not recognize the West Florida legislature as possessing any authority whatever. He could only cite the general liberality of the United States toward its own settlers and promise temporary immunity for the deserters from its service pending the ultimate decision of the President, but he succeeded in inducing all but a few leaders, including Skipwith and Philemon Thomas, the "general" of the West Florida troops, to acquiesce in the programme of the American authorities.

In the course of his inaugural address the week before, Skipwith, after stating that West Florida was entitled to independence and that wherever justice and humanity were heard its demand was respected, had concluded with the following bit of turgid rhetoric:

But the blood which flows in our veins, like the tributary streams which form and sustain the father of rivers, encircling our delightful country, will return, if not impeded, to the heart of our parent country. The genius of Washington, the immortal founder of the liberties of America, stimulates that return, and would frown upon our cause, should we attempt to change its course.<sup>33</sup>

On the evening of this unexpected *dénouement*, however, after

<sup>32</sup> Undoubtedly one reason for Skipwith's attitude is to be found in his resentment because Madison and Jefferson had not supported him in his previous controversy with Armstrong, through which he lost his position as consul at Paris. This is shown by his alacrity in appealing to Monroe for justification as soon as the latter became secretary of state. Skipwith had been a very intimate and very effective friend of Monroe, while the latter had been engaged in his trying diplomatic experiences in Europe; and may have been a victim to the necessity of placating the group of New York politicians represented by Armstrong, or to Jefferson's and Madison's resentment against Virginia opposition represented by John Randolph, and, for a time, by Monroe himself. Naturally he was inclined to oppose this apparently new manifestation of Madison's enmity that was pursuing him into his West Florida exile. James Bowdoin, Thomas Sumter, Nicholas Biddle, and Monroe himself all testify to Skipwith's integrity and honesty of purpose. He later served in the Louisiana legislature and was employed in certain negotiations in Haiti. Cf. Monroe Letters, Lenox Library, and Monroe Papers, XII. MSS., Library of Congress.

<sup>33</sup> *National Intelligencer*, December 29, 1810.

his friends had failed to persuade Holmes to recognize him in an official capacity, Skipwith called upon the latter in a different frame of mind. He stated that it had always been his wish to bring about the union of West Florida with the United States, but he complained bitterly of the method Madison had now adopted for this purpose. By seven years' acquiescence in continued Spanish occupation, the United States had abandoned its right to the country, and the West Florida people would not now submit to the general government without conditions. Holmes did his best to persuade Skipwith that resistance to Madison's programme would be unavailing and utterly mischievous, but finding this fruitless, terminated the interview. Whereupon the affronted governor with a few of his unreconciled legislators departed for Baton Rouge, leaving behind for Claiborne the verbal statement, "that he had retired to the fort at Baton Rouge and rather than surrender the country unconditionally and without terms, he would with twenty men only, if a great number could not be procured, surround the Flag-Staff and die in its defense".

On the following morning Holmes, Osborne, and John H. Johnson, the last named representing Skipwith, crossed the Mississippi to confer with Claiborne, who joined them at Pointe Coupée. Johnson delivered Skipwith's bombastic challenge, but at the same time repeated his own assurances of devotion to the United States, and urged Claiborne to visit St. Francisville, where he would be welcomed and recognized as Madison's agent. This attitude on the part of a member of the West Florida legislature, and one of the leaders in the movement for independence, indicated the slender basis for Skipwith's hope of resisting the United States. Later the governors of Orleans and Mississippi together crossed the river to St. Francisville, where the former was received by citizens and military "with great respect", as the representative of the American government, and erected the region into a county, appointing such officers as were immediately requisite. Thus, on December 7, the most populous and wealthiest portion of West Florida, in the words of Governor Holmes, "willingly exchanged a system of government which peculiar circumstances had induced them to adopt, for that of the United States . . . an event most desirable to the great body of citizens".<sup>34</sup>

<sup>34</sup> McMaster, *History of the People of the United States*, III. 372, speaks of some opposition to the formality of taking possession of St. Francisville, voiced by Philemon Thomas. Neither Holmes nor Claiborne mentions this and the language used by McMaster suggests Skipwith's expostulation to Holmes the night before and his method of leaving later for Baton Rouge.



After conferring with Claiborne in regard to the difficulties likely to be encountered in their further intervention, Holmes, again serving as *avant courier*, departed for Baton Rouge, accompanied by "a few gentlemen of respectability" from the Bayou Sara District, and an escort of the former West Florida cavalry. On the evening of December 9, Holmes and his company were suffered to enter the town without opposition, and Skipwith in an interview reported that he personally had abandoned any thought of resisting the American agents, but he stated that he could not answer for the troops within the fort. On the following morning Holmes had an interview with their commander, John Ballinger, and assured him that for the present those who were deserters would not be molested, and ultimately he believed the President would pardon them. Ballinger then stated that he had concluded to surrender the fort to the United States troops. By this time Claiborne with the regulars under Covington had already effected a landing some two miles above the town. Shortly thereafter Holmes reported to him the pleasing information that "the armed citizens called here the convention troops are ready to retire from the fort and acknowledge the authority of the United States", without insisting upon any terms. The gratified Claiborne readily agreed that some simple and respectful ceremonial should mark the formal act of transfer; and under these conditions, at half-past two that afternoon, December 10, 1810, the men within the fort marched out and stacked their arms and saluted the flag of West Florida as it was lowered for the last time, and then dispersed. The short-lived republic that had served its purpose in bridging the gap between Spanish and American domination came to a close, while the cheers of its citizens, as voiced in Skipwith's letter to Claiborne, showed their "sentiments of unexceeded joy and self-felicititation in being taken into the bosom of my [their] parent country".

While in this same communication Skipwith expressed his gratification at the result of American intervention, he did not hesitate to criticize bitterly the method by which Madison and Claiborne had brought it about. He stated his belief that a surrender of the territory by "the constitutional authorities thereof as an independent state" was the only method that could give the United States "an unqualified and legal title" to its possession. At the same time as a native of the United States who had long been in its public service, he could not sign an order that might result in the "loss of one drop of American blood". So he yielded to superior force, but at the same time his "honor and humanity" led him to

recommend the deserters from American service to the clemency of their government and its agents.

Claiborne himself reported that much of the resentment aroused among the people in West Florida by Madison's proclamation arose from the fact that it was not thought to be sufficiently respectful towards their constituted officials. The unexpected American intervention also broke up the projected expedition against Mobile and thus "blasted the prospects of many aspiring individuals". The first feeling of these was naturally one of "chagrin and disappointment", but a "little reflection and the interposition of some good men occasioned an amicable result". Several later memorials to the American Congress, however, show the existence of some latent dissatisfaction regarding land grants under the Spanish government, the disposal of the vacant lands of the territory, and the debts incurred by the provisional government. Skipwith himself felt particularly resentful because the administration paper, the *National Intelligencer*, criticized him so severely. When his friend Monroe became secretary of state he attempted to justify his course. In his reply Monroe stated what is, perhaps, the best interpretation of the administration's attitude in the intervention:

I shall say but little relative to the late affair in West Florida. I shall only remark that it was impossible for the U[nited] S[tates] to accept a title to it, from the revolutionary party. They would have been as much responsible to Spain, or any gov[ernmen]t claiming Spain, in taking it from the revolutionists, as if they had driven the Spanish troops out by those of the U[nited] States. Spain would always have said that this party was put in motion by the U[nited] States, for the purpose of masking their views. In taking the country from it, they would have had the same difficulty to keep the possession against the ultimate possessor of Spain, as if they had taken it by force. If war had been the consequence it would have fallen on the U[nited] States, not on the revolutionary party in Florida, who would have disappeared and mingled with the rest of their fellow citizens. In taking that course then the U[nited] States would have gained nothing as to title, or security; and would have lost in character and likewise in property, for [in] so far as they made the revolutionists any recompense for the cession they might make, [just] so far it would be an entire loss.<sup>85</sup>

One is tempted to compare this letter with Claiborne's of June 14, 1810, or with the statement of Robert Smith to Turreau,<sup>86</sup> but the result would be simply to confirm him in the impression that the West Florida policy of Livingston, Jefferson, Madison, and Monroe is the most tortuous, mismanaged, and indefensible in our

<sup>85</sup> Monroe to Skipwith, October 22, 1811. MSS., Ford Collection, Lenox Library.

<sup>86</sup> *Supra*. pp. 297 and 304-305.

diplomatic history. Moreover, there was still to be added to the chapter of incompetency the apprehensive explanations of Armstrong and Pinckney to Napoleon and to the English Cabinet, Monroe's apparently frank but really evasive interviews with Bernabeu, and Clay's labored but unconvincing defense of the intervention in the Senate.<sup>37</sup> It is only as we turn from such centres of diplomatic and legislative intrigue as Washington, Madrid, and Paris to the frontier itself that we perceive the true influences that brought West Florida into the American Union, and ultimately determined the ownership of the whole of the Florida peninsula. Such physiographic factors as its position in regard to the Mississippi and the Mobile, and its proximity to the territories of Orleans and Mississippi, which it separated; and such natural impulses as moved a population largely American in sympathy, really determined the future of this region; and they ultimately would have done so had the Louisiana Purchase never occurred or had the name of West Florida never suggested the most disgraceful diplomatic transaction of our history. Yet with the characteristic desire to save their own reputations for consistency, our officials utterly disregarded the very elements that enabled them to realize their specious interpretation of the treaty of San Ildefonso.<sup>38</sup>

The occupation of St. Francisville and of Baton Rouge established American jurisdiction to the Pearl River. Later Claiborne extended our control to the Pascagoula, and Wilkinson, by the military occupation of Mobile, to the Perdido. In this ruthless but expedient fashion our officials made good their plausible claim<sup>39</sup> to this portion of West Florida, which was later divided and annexed to three states of the American Union. It was not until 1819, however, that they appeased the dignity of outraged Spain by a non-committal treaty, and even in bringing about this result it is probable that the most important diplomatic factor was Jackson at the head of the frontier militia.<sup>40</sup>

ISAAC JOSLIN COX.

<sup>37</sup> See Instructions, vol. VII., and Spanish Notes, II., MSS., Bureau of Indexes and Archives, and also Papers in Relation to Burr's Conspiracy, MSS., Bureau of Rolls and Library. Clay's speech is summarized by H. Adams, V. 320, and is given in *Annals of Congress*, 11 Cong., 3 Sess., p. 55 ff.

<sup>38</sup> See Skipwith to Monroe, May 18, 1811, with enclosed statement, Monroe Letters, Lenox Library. J. Ballinger to Monroe, December 26, 1811; John Johnson and others to Monroe, August 17, 1815; Thomas Butler to Monroe, August 26, 1815; A. Massias to Monroe, April 5, 1816; in vols. 35, 47, and 50, Miscellaneous Letters, Bureau of Indexes and Archives.

<sup>39</sup> The diplomatic claim of the United States to West Florida is summarized by Ogg, Chadwick, H. Adams, Fuller, *The Purchase of Florida*, pp. 126-133, and H. E. Chambers, *West Florida and its Relation to the Historical Cartography of the United States*, in *J. H. U. Studies*, series XVI., no. 3.

<sup>40</sup> *Niles' Register*, February 27, 1819, XVI. 3.

## TAXATION OF THE SECOND BANK OF THE UNITED STATES BY OHIO<sup>1</sup>

AFTER the expiration of the charter of the First Bank of the United States in 1811 there was a great increase in the number of state banks, especially throughout the West. In Ohio there were four banks in 1811; by 1815 the number had grown to twelve, and in the following year nine additional banks were incorporated.<sup>2</sup> The charters of these early banks contained no clauses providing for specie payment, and no penalty for suspension, while the power of note-issue was apparently unrestricted. In 1817 additional banks were incorporated, on which for the first time restrictions were imposed; thus in the charter of the Bank of Hamilton it was first provided that the capital should be paid up in "money of the United States"; in that of the Bank of Gallipolis that a certain amount of money, \$20,000, half in specie and half in United States bank-notes, should be on hand before the bank could begin business.<sup>3</sup> At best, however, the business of banking was new, there was little past experience to guide either legislators or bank managers, and many mistakes were made.<sup>4</sup> On the other hand, the conditions in a

<sup>1</sup> In spite of its importance no complete or connected account of this event has ever been written. So far as it has been discussed, it has been treated either as an occurrence primarily of political interest (Turner, *Rise of the New West*, p. 300; McMaster, *History of the People of the United States*, IV. 497-504; King, *Ohio*, p. 336) or of constitutional significance (Ames, *State Documents on Federal Relations*, no. III., p. 5; Story, *Commentaries*, §§ 1649-1655; Cotton, *The Constitutional Decisions of John Marshall*, II. 84). By the people of Ohio who were engaged in the controversy, however, it was regarded almost wholly as an economic and financial question. In so far as they appealed to constitutional principles they did so under the pressure of an economic situation and to justify actions motivated by these conditions. While of course such action was not exceptional, the appeal does not necessarily prove conversion to the principles invoked.

<sup>2</sup> Albert Gallatin, *Considerations on the Currency and Banking System of the United States* (Philadelphia, 1831), pp. 100-103. From the figures given by Gallatin of banks which made returns and those which did not we may construct the following table of the number and capital of banks in Ohio between 1811 and 1830:

| Date | No. of Banks | Total Capital |
|------|--------------|---------------|
| 1811 | 4            | \$ 895,000    |
| 1815 | 12           | 1,434,719     |
| 1816 | 21           | 2,061,927     |
| 1820 | 20           | 1,797,463     |
| 1830 | 11           | 1,454,386     |

<sup>3</sup> W. G. Sumner, *History of Banking in the United States*, p. 92.

<sup>4</sup> D. R. Dewey, *Financial History of the United States*, p. 144.

new and undeveloped country, where capital was scarce and exchange slow, led to the undue expansion of banking credit, which in those days took the form almost entirely of note-issues.

The numerous banks supplied an abundant circulating medium, far in excess of the real needs of the community. The loose credit system of selling public lands also led to bank-note inflation on the part of the local banks; and this was increased after the suspension of specie payments in 1814,<sup>5</sup> by the action of the federal government in accepting state bank-notes in payment for the public lands and other public dues. After the war of 1812, moreover, the western country experienced a "boom" in which Ohio fully shared. "Speculation, stimulated by every incentive, ran into wild and extravagant excesses. Improvements of every kind, under its strong propulsion, advanced with wonderful rapidity."<sup>6</sup> It was a period of inflation, of speculation, and of rising prices, which must ultimately terminate in a financial crash. Things were rapidly verging to this state, when the branches of the Bank of the United States, which had been chartered by Congress in 1816, were established at Cincinnati and Chillicothe. These branches issued their notes in Ohio to a very large amount, and as these were convertible they displaced the issues of the local banks. Consequently there soon developed strong opposition to the Bank in Ohio and also in other states.

Ohio had long been struggling against unauthorized banks, which had flooded the state with depreciated paper, and against agencies of banks chartered by other states, notably Pennsylvania and Kentucky, whose notes, more depreciated than those of the Ohio banks, were driving the latter out of circulation.<sup>7</sup> In the session of 1815-1816, the legislature passed an act imposing a fine of \$1,000 on all persons acting as agents of any bank of issue chartered by the laws of another state; the use of the courts and of the processes of

<sup>5</sup> "The suspension of the payment of specie by the city banks, instantly raised the demand for that article and excited a general distrust of bank paper. The country banks were compelled to close their vaults in self-defence. But the banks of Ohio were among the last to adopt this measure. Such, however, was the confidence of the community in the banking institutions, that the shock to paper credit was soon recovered, and paper passed currently as money, when it was known that it would not at pleasure be converted into specie. An unlimited confidence in bank notes soon diffused itself over the whole country, and banks were originated upon principles as new as they were deceptive and mischievous. An excessive issue of paper currency was the inevitable consequence." Rep. of Com. on Taxing the Bank, *House Journal*, 1819, p. 395.

<sup>6</sup> S. P. Chase, *Ohio Statutes* (Cincinnati, 1833), I. 42.

<sup>7</sup> An act of February 8, 1815, provided that all contracts with persons or firms issuing notes, without being authorized by law to do so, were to be void. Signing or issuing such notes was made punishable by imprisonment for one year and a fine not exceeding \$5,000.

justice were forbidden to all such agencies.<sup>8</sup> This, it will be seen, was ten weeks before the establishment of the Bank of the United States (April 10, 1816), and fourteen months before the organization of the Cincinnati branch.

A year before the organization of the Bank of the United States Ohio had begun the taxation of banks in that state. The quota of the direct tax imposed upon the states by the federal government to help defray the expenses of the war had been paid by Ohio out of taxation, with only a temporary resort to loans. To raise this additional revenue the land tax was greatly increased and new sources of revenue sought out. Among these latter was a tax of four per cent. on its dividends on every banking company in the state.<sup>9</sup> In this and subsequent acts relating to the local banks are to be found practically all the provisions later included in the law taxing the branches of the Bank of the United States, showing that the latter was not an isolated act. If any bank failed to report, the auditor was to levy one per cent. on the nominal capital of the bank; this assessment was to be presented to the bank by the sheriff, and if it was not paid at once, with four per cent. of the sum involved in addition for the sheriff's fee, he was authorized to levy on the specie and notes; if he could not find enough of these, he was to seize any other property of the bank, advertise, and sell it.<sup>10</sup>

In March, 1817, a branch office of the Bank of the United States was established in Cincinnati, and in the following October a second branch was organized at Chillicothe, although it apparently did not begin business until the spring of 1818.<sup>11</sup> This was done "without any enquiry whether such a measure would, or would not meet with the approbation of the constituted authorities of the state. At the time that this office was established it was in direct violation of the letter and spirit of a statute of Ohio, enacted before the Bank of the United States was incorporated."<sup>12</sup> While the establishment of the branch at Cincinnati seems not to have been opposed,<sup>13</sup> there did exist statutes which might have been invoked against it. Nine

<sup>8</sup> Act of January 27, 1816.

<sup>9</sup> Act of February 10, 1815.

<sup>10</sup> *Cf.* Act of February 8, 1819, taxing the branches of the Bank of the United States.

<sup>11</sup> *House Journal*, 1820-1821, p. 110.

<sup>12</sup> Rep. of Com. on Taxing the Bank, *ibid.*, 1819, p. 399.

<sup>13</sup> *Cf.* Minority Rep., *ibid.*, 1820-1821, p. 391. This report explained the opposition which developed against the Bank as the result of the jealousy of local bankers whose business was adversely affected. "A kind of village aristocracy was erected in almost every town [by the establishment of local banks]. . . . Prejudice, first excited by those who had been engaged in flooding the community with an unsound currency, at length became quite general."

months' experience with the Cincinnati branch seems to have persuaded the legislators that it was detrimental to the success of the local banks,<sup>14</sup> and that, as it was not paying any taxes while they were, it occupied a favored position. Accordingly, at the beginning of the next session, on December 13, 1817, Mr. McMillan moved the appointment of a joint committee to take into consideration the propriety and expediency of taxing the branches of the Bank of the United States, which then were or might hereafter be established in the state. This was agreed to.<sup>15</sup> The committee reported against the "expediency" of levying such a tax. The chief argument advanced by the committee was that the charter was a contract, and that the constitution of Ohio provided that "no law impairing the obligation of contracts shall ever be made". This report was reversed by the house of representatives, 37 to 22.<sup>16</sup>

A substitute for this report was then offered, January 19, 1818, asserting the right of the state to levy such a tax, and the expediency of doing it at that time. The constitutional right of the state to levy such a tax was carried, 48 to 12, and the expediency of proceeding to levy the tax now, by 33 to 27.<sup>17</sup> Among the arguments advanced in this substitute report chief reliance was placed, in asserting the constitutional right of the state to tax the branches, upon the fact that the charter of the Bank did not include exemption from taxation among the privileges claimed; that such immunity did not generally attach to incorporated companies, such as the Bank was; and that, inasmuch as the state banks had paid bonuses for their charters, any invasion of their charter privileges would be an impairment of the state's contract with them. On the question of expediency, the report concluded that "these branches must very seriously affect the operations of the state banks"; that "the capital introduced into the country through these branches, is directly calculated to wither our agriculture and cramp our manufactures"; and that they were "unquestionably a proper subject of taxation". To carry out the conclusion of the report a bill was introduced "to levy a tax on the capital of the subscribers to the Bank of the United States, employed in banking within this state". After it had been read a third time, on January 24, further consideration was postponed until the second Monday of the following December, by a

<sup>14</sup> By a preamble and resolutions adopted in the house of representatives on January 19, 1818, disapprobation of the establishment of a second office was expressed: "but the directors seem to have regarded this expression as deserving no consideration". *House Journal*, 1819, p. 400.

<sup>15</sup> *Ibid.*, 1817-1818, p. 90.

<sup>16</sup> *Ibid.*, pp. 144-146.

<sup>17</sup> *Ibid.*, pp. 307-315.



vote of 31 to 28.<sup>18</sup> In the meantime, the committee was instructed "to make certain enquiries concerning the effect produced by the establishment and management, of the branches of the Bank of the United States in Ohio, upon the paper currency of the state".<sup>19</sup>

During the summer of 1818 the committee sent out a circular letter for information to the state banks and to the branches of the Bank of the United States. The former answered, with few exceptions, but the latter treated the request for information with "contemptuous silence" without "even the forms of common politeness", though the president of the Cincinnati branch "verbally and inofficially" stated his willingness to give the desired information. Nineteen of the state banks reported and five failed to do so.<sup>20</sup> From the data furnished the following table was compiled for these nineteen state banks.<sup>21</sup>

From data in the auditor's office the committee were able to give the capital of the twenty-four banks in the state as \$2,268,000, the circulating notes as \$1,336,000, and the specie as \$450,000. The whole amount of their demand liabilities very little exceeded \$2,000,000, against which they held a specie reserve of about 20 per cent. Compared with the 12 per cent. held by the Philadelphia banks on November 4, 1816,<sup>22</sup> the Ohio banks were in a safe though not impregnable position. Some of the banks had, however, greatly overissued their notes and these institutions felt keenly the competition of the Bank of the United States.

The notes of the Bank were convertible in coin, were alike in character no matter by which branch they were issued, and were

<sup>18</sup> *House Journal*, 1817-1818, p. 360.

<sup>19</sup> *Ibid.*, 1819-1820, p. 393.

<sup>20</sup> "It is much to be regretted that a false pride or an unfounded jealousy should have prevented banks of undoubted solvency from making a report." Rep. of Com., *House Journal*, 1819-1820, p. 407.

<sup>21</sup> *Ibid.*, 1819-1820, p. 405.

| DEBTS                         |                       | FUNDS                      |             |
|-------------------------------|-----------------------|----------------------------|-------------|
| Capital .....                 | \$1,668,688           | Bills discounted .....     | \$2,895,483 |
| Notes in circulation .....    | 1,136,177             | Specie .....               | 385,333     |
| Due individual depositors ... | 227,774               | Ohio notes .....           | 121,936     |
| Due Bank of United States..   | 694,848 <sup>22</sup> | Notes of other banks ..... | 135,551     |
|                               |                       | Due from banks .....       | 221,718     |
|                               |                       | Real estate .....          | 61,404      |
| Total .....                   | \$3,727,487           |                            | \$3,821,425 |

<sup>22</sup> Three of the banks did not report the debts due from them to the Bank of the United States, but the amount estimated by the committee has been included. Other reports were incomplete in various items, causing a discrepancy in the two sides of the balance-sheet of about \$100,000.

<sup>23</sup> Rep. of Com., *House Journal*, 1819-1820, p. 408.

pretty steadily maintained at par. Being equally good in all parts of the United States they were much sought after for making remittances. The notes of the local banks, on the other hand, depreciated greatly at any distance from the issuing bank, were often overissued in amount, and were not always redeemed in specie. It was the practice of the branches of the Bank to present the notes of the state banks, which accumulated in their hands in the ordinary course of business, for redemption about once a week. In such settlements the debtor bank must pay the balance in specie. This practice provided an automatic test of the solvency of the local banks, and forced them to keep down their note-issues to a reasonable proportion of their capital, but these very facts caused them to hate the agency by which such desirable reforms were effected.<sup>24</sup>

Whether the Bank of the United States acted towards the banks of Ohio "in a spirit of contempt and rancor" or not, the management of the Bank was such as to involve the western banks generally in difficulties. Under the loose administration of William Jones, the first president of the Bank, the capitals of the branch offices were not fixed and they were permitted to extend their discounts at pleasure, without any limitation in that respect. There was moreover no restriction as to note-issues, and they could therefore issue their paper without check. This they did and consequently piled up enormous loans. For instance, the Cincinnati branch is stated to have discounted over \$1,800,000 in June, 1818—an amount almost as great as the loans at Boston or New York.<sup>25</sup> By October 3, 1818, the total discounts of the two branches in Ohio amounted to \$2,494,000, although the whole banking capital of the state did not exceed \$2,300,000.<sup>26</sup> As a result of the loose management the Bank soon became almost bankrupt, and vigorous measures were taken by the directors to secure its solvency. Among other things they ordered the Cincinnati office to collect the balances due from the Cincinnati banks at the rate of 20 per cent. a month.<sup>27</sup> These balances amounted on July 1 to over \$700,000,<sup>28</sup> and by Oc-

<sup>24</sup> The Committee on Taxing the Bank in 1819 charged that the branches of the Bank of the United States had been established in Ohio without any capital, and that they had accumulated this by draining the local banks of their specie in the way described above. Moreover a large amount of local bank-notes had been paid to the government for public lands and had accumulated in the Treasury Department. "The directors of the Bank of the United States were soon apprised of the amount of Ohio paper, held by the government upon deposit, and they early made arrangements to convert it into a banking capital for themselves." *House Journal*, 1819, p. 400.

<sup>25</sup> R. C. H. Catterall. *The Second Bank of the United States*. p. 34.

<sup>26</sup> *House Journal*, 1819, p. 401.

<sup>27</sup> Order of July 20, 1818. Quoted by Catterall, p. 51.

<sup>28</sup> *Niles' Register*, September 19, 1818, XV. 39.

tober 3 had swelled to \$974,000,<sup>29</sup> a sum which the banks were quite unable to pay. As a result it was further directed by the orders of October 30, that no further credits be given to the Cincinnati banks until the balances already due were discharged. At the same time the Bank drew upon Cincinnati for \$50,000 and on Chillicothe for \$100,000 in specie.<sup>30</sup>

Intelligible as these transactions were from the standpoint of the Bank of the United States, which was striving desperately to strengthen and save itself from bankruptcy, in Ohio they were regarded as wilfully oppressive to the state banks. These latter endeavored to reduce their debts, but succeeded only in inflicting distress upon their debtors, who had neither specie nor notes with which to pay. The Cincinnati banks protested therefore against the action of the Bank of the United States as a "grievance unprecedented". The Bank could not afford to yield, however, and instead of granting more favorable terms, prohibited the receipt of the notes of these banks. This act brought about the suspension of the three Cincinnati banks within a month, in November, 1818.<sup>31</sup>

The attitude of the people of Ohio toward the branches of the Bank of the United States may be inferred from the platforms of the politicians in their appeals to the voters, for these are usually such as will approve themselves to the people. In the fall election of 1818, Col. John Sloane, a candidate for election to Congress from Wooster, Ohio, issued an address to the electors in which he announced himself strongly opposed to the Bank. "The power to create banks", he wrote, "not being granted [by the Constitution], the law establishing the United States' bank, is *unconstitutional*, and ought to be repealed."<sup>32</sup> A month later Niles printed a letter from a citizen of Ohio, urging a tax on the branches of the Bank of the United States as a means of protection to the state banks.<sup>33</sup> In his

<sup>29</sup> *House Journal*, 1819-1820, p. 406.

<sup>30</sup> Catterall, p. 53, n.

<sup>31</sup> Catterall, p. 63. It was stated by Niles in December that "2500 dollars, per week, are required to pay the *discounts* on monies loaned by the branch of the bank of the United States, at Cincinnati—the branch has scarcely any of its notes in circulation, and Ohio has been drained of specie. It is a serious question how these discounts are to be paid." "Many of those [the Ohio banks] that were considered as the best banks in the state, have stopped payment." *Niles' Register*, December 12, 1818, XV, 283.

<sup>32</sup> *Ibid.*, October 24, 1818, XV, 130.

<sup>33</sup> The reasoning by which the legality of such a tax is proved is interesting. The Ordinance of 1787 provided that no tax should be imposed upon lands the property of the United States; the existence of this provision showed that without it the states might have taxed these lands or other property of the United States not expressly exempted. They therefore had a right to tax capital invested in the stock of a bank chartered by the federal government unless a stipulation

message to the legislature at the opening of the session of 1818-1819, the governor discussed the banking situation at length, and referred as follows to the Bank of the United States:

Since the incorporation of the Bank of the United States, and since the passage of the present law of this state against unauthorized banking companies, that institution has established, without asking leave, two agencies . . . whose course of proceeding, the banks loudly complain, cramps the operations, and diminishes the profits of the latter, as well as impairs the state revenues arising from these sources. . . . But whether the branches remain among us, of right, or by permission, and while the state banks are subjected to the imposition of taxes, or an equivalent, there appears no evident reason why those branches should be exempt. Their exemption would be a partiality, unjust to the local banks.<sup>34</sup>

The house committee, finally, to whom the matter was referred at the previous session for report, recommended "the propriety of providing by law, that if the branches established within this state shall remain here and transact business, beyond a certain day, a tax shall be assessed and collected of \$50,000 annually upon each branch".<sup>35</sup> In accordance with this recommendation a bill was introduced into the legislature and was finally enacted into law on February 8, 1819. "Whereas the president and directors of the Bank of the United States have established two offices of discount and deposit in this State, at which they transact banking business, by loaning money and issuing bills, and by trading in notes and bills; and whereas it is just and necessary that such unlawful banking, while continued, should be subject to the payment of a tax for the support of government"—it was provided that if any of these associations continued in business after September 1 they should be taxed, the Bank of the United States \$50,000 per annum for each office, and every other company \$10,000. On September 15 of each year the auditor was to assess these taxes against the companies, and to make out his warrant to the agent whom he should appoint to collect the tax. In case of default, the agent was authorized to levy on the goods of the Bank or its credit; he could seize the specie or notes, searching the Bank for them. The officers of the Bank might be put to oath to disclose where the funds were, or they to the contrary were made. As this had not been done in the case of the Bank of the United States, the right of the state to tax its branches was undoubted; and this was especially true because Ohio taxed her own banks, and if they were driven out of business by the Bank of the United States, the state would be deprived of a considerable revenue. *Niles' Register*, November 7, 1818. XV. 163-164.

<sup>34</sup> Governor's Message, *House Journal*, 1818-1819, pp. 92, 94.

<sup>35</sup> *Ibid.*, 1818-1819, p. 409.

might be summoned to court and examined, a refusal to answer constituting contempt. Debtors to the Bank must pay the state until the amount of the tax was reached. The sum collected was to be paid by the agent to the auditor and by him to the treasurer. The agent was to have, as his remuneration, two per cent. of the amount collected in specie or notes; five per cent. of goods taken in execution; and ten per cent., if further proceedings were required.

Similar taxes had already been laid on the Bank of the United States in five other states, namely, Maryland (\$15,000), Tennessee (\$50,000), Georgia (thirty-one and one-fourth cents on \$100 capital), North Carolina (\$5,000), and Kentucky (\$60,000), while the constitutions of Indiana in 1816 and of Illinois in 1818 prohibited the establishment of any but state banks within their boundaries. The subject was also debated in the legislatures of Virginia, South Carolina, and New York.<sup>36</sup>

As to their constitutional right to levy such a tax, the majority of the Ohio legislature seems not to have entertained any doubt.<sup>37</sup> For two years they had seen it asserted in other states. Niles, the determined opponent of the Bank, had urged such action upon the states and had asserted their constitutional right so to do.<sup>38</sup> Finally, the only case bearing upon this point seemed to justify this conclusion. This point was urged by an Ohio legislative committee two years later.

At the period of adopting these measures [they wrote], the constitutional right of the state to levy the tax was doubted by none but those interested in the bank. . . . During the existence of the old Bank of the United States, the state of Georgia had asserted this right of taxation, and actually collected the tax. The bank brought a suit, to recover back the money, in the federal circuit court of Georgia. This suit was brought before the supreme court upon a question not directly involving the power of taxation. The supreme court decided the point before them in favor of the bank, but upon such grounds that the suit was abandoned, and the tax submitted to.<sup>39</sup> When the charter of the present bank was enacted, it was known that the states claimed, and had practically

<sup>36</sup> See Catterall, pp. 64-65.

<sup>37</sup> "The state right to tax the institution was strongly asserted, and almost universally believed in by the people." Chase, *Statutes of Ohio*, I. 43.

<sup>38</sup> "The states should take it up; and tax the mother bank and the branches out of every resting place except the ten miles square." *Niles' Register*, February 28, 1818, XIV. 5.

<sup>39</sup> The committee evidently refer here to the case of the Bank of the United States v. Deveaux (5 Cranch, 61), which was decided in 1809. This case involved the question as to whether the circuit court, in a suit brought by the Bank, had jurisdiction. The Supreme Court, to which the suit was appealed, held that it did and remanded the case for further action. It does not appear from this decision that the bank took any other action to resist the payment of the tax, and there is no further indication in the federal cases of what was done in the matter.

asserted, the right, of taxing it, yet no exemption from the operation of the power is stipulated by Congress. The natural inference, from the silence of the charter upon this point, would seem to be, that the power of the states was recognized, and that Congress was not disposed to interfere with it."

When the law taxing the Bank was passed in February by the Ohio legislature, its execution was postponed until the September following, in order that the Bank might have abundant time so to arrange its business as not to come within the provisions of the taxing law. By that time it was expected the Bank would have withdrawn from the state.

The year 1819 was marked by a crisis, the first in the United States. Its causes are stated by Dewey to have been "in part the inability of the manufacturing industries to recover a stable footing after the abnormal growth occasioned by the embargo and the war, and in part a spirit of speculation developed by the several years of rapid commercial expansion and bad banking".<sup>41</sup> In the latter the Bank of the United States was a not inconsiderable factor, and, while it did not cause the panic, it certainly precipitated it by its abrupt curtailment of credits. "The Bank was saved and the people were ruined", wrote Gouge.<sup>42</sup> In the West the distress was especially keen. Enormous loans had been made in that section, which had encouraged the spirit of speculation; much of the capital so borrowed had been recklessly managed and badly invested and could not now be repaid. Much had been loaned to farmers, who had mortgaged their farms and homes as security, and had pledged their future production and savings to repay these loans. It was usual to renew such notes from time to time, and when these debtors were now called upon to pay they were utterly unable to do so. In times of crisis such property is always unsalable, and in this case it had been greatly overvalued, and would not bring even the amount of the mortgage.

The Ohio banks made a noble effort to maintain specie payments, but with only partial success. Early in January, 1819, Niles wrote:

Two or three banks in Ohio still pay specie—but there are very few of their notes in circulation. This state is a prey to Jew-brokers and bank directors, more, perhaps, than any other. . . . To retire their notes from circulation and make a shew of solvency, it is said that some of

<sup>41</sup> "Report of the Joint Committee to whom was referred the report of the auditor relating to the tax collected from the Bank of the United States, December 12, 1820." *House Journal*, 1820-1821, p. 111.

<sup>42</sup> Dewey, *Financial History of the United States*, p. 166.

<sup>43</sup> W. M. Gouge, *The Curse of Paper-Money and Banking* (ed. Cobbett, London, 1833), p. 71.

the banks have given written obligations to the branches of the U. S. Bank, for very large amounts.<sup>43</sup>

Owing to the adverse balance of trade and the drain of specie from the western country by the Bank of the United States, it was difficult to keep sufficient specie in the state. "It is estimated", wrote Niles in June,<sup>44</sup> "that 800,000 dollars in specie have been drawn from Ohio within the last twelve months, for the bank of the United States." Nevertheless, in midsummer there were still eight specie-paying banks in the state.<sup>45</sup> Three weeks later the number was reduced still further.<sup>46</sup> For these troubles the Bank of the United States was held to be primarily responsible.<sup>47</sup>

There was owed to the Bank of the United States in Ohio and Kentucky on April 1, 1819, the sum of \$6,351,120, which was reduced less than \$1,000,000 three years later. The Bank consequently was compelled to foreclose its mortgages and realize upon them. "As a consequence of the transfer of real estate, the bank owned a large part of Cincinnati: hotels, coffee-houses, warehouses, stores, stables, iron foundries, residences, vacant lots."<sup>48</sup> Owing to the rapid appreciation in the value of property, the final losses to the Bank were very slight, amounting on August 30, 1822, to but \$94,156 in Cincinnati and \$25,579 in Chillicothe. The effect of this upon the former owners of these valuable properties may easily be imagined. There was moreover a general spirit of hostility to the Bank in the West, where it was regarded as an intruder, often against the constitution and statutes of a state, possessed of superior privileges, paying no taxes, and acting as mentor to the local banks.

In the meantime, while the feeling of hostility to the Bank was rising higher, the case of *McCulloch v. Maryland* was decided on

<sup>43</sup> *Niles' Register*, January 9, 1819, XV. 361.

<sup>44</sup> *Ibid.*, June 26, 1819, XVI. 298.

<sup>45</sup> *Ibid.*, August 14, 1819, XVI. 405. Eight specie-paying banks were reported a year later. *Ibid.*, May 20, 1820, XVIII. 224.

<sup>46</sup> "Of twenty-five banks in Ohio, the *Western Herald* informs us, there are at present but six or seven which redeem their paper with specie." *Ibid.*, August 28, 1819, XVI. 484.

<sup>47</sup> The governor put the situation very temperately and correctly in his message to the legislature in December, 1819: "Very little doubt appears to be entertained, that this pecuniary embarrassment has been hastened, by the operations of the Bank of the United States; but the leading cause, I suspect, will be more successfully sought, in the too expensive and injudicious use of their credit formerly made by some of the borrowers with hopes too sanguine to be realized in times like the present. These causes combined with an adverse balance of trade, and the fallen price of country produce, have conspired to prevent these institutions from redeeming their bills and preserving their credit, and circulation." *House Journal*, 1820, p. 10.

<sup>48</sup> Catterall, p. 67.



March 7, 1819, to the effect that the states were debarred by the federal Constitution from levying a tax upon a bank chartered by Congress.<sup>49</sup> The Ohio law, however, directing the auditor of the state to levy and collect the tax of \$50,000 on each branch of the Bank of the United States that should continue to transact business within the state after September 1, remained unrepealed. This law the auditor considered imperative on himself, in which opinion he was upheld by the governor, and he deemed it his duty under the law to execute its provisions, unless enjoined by proper authority.<sup>50</sup> The auditor was really placed in an embarrassing predicament, but held that as a state officer his first duty was to carry out the mandates of the state laws.<sup>51</sup> On September 11 he was served with a notice that application would be made to enjoin the proceedings under the tax law. On the morning of September 15 the auditor was further served with a copy of a petition in chancery, praying that he be enjoined from charging the bank with the proposed tax, and also with a subpoena from the same court to appear to answer the petition on the first Monday of the following January. As no one of these documents constituted an injunction upon his proceedings under the law, the auditor issued his warrant to John L. Harper, for the collection of the tax.

Before delivering this warrant, however, the auditor submitted the various papers to the secretary of state and asked him to secure legal advice as to whether they did operate as an injunction. In reply he received the written opinion of several lawyers "that it did not appear that there was any order of court allowing an injunction, or any suit of injunction, or indeed any document whereby the defendant can be charged with notice of the contents of the petition".<sup>52</sup> Accordingly he delivered the warrant to Harper with

<sup>49</sup> 4 Wheaton, 316. The text of the decision is given in full in *Niles' Register*, March 20, 1819, XVI. 68.

<sup>50</sup> Auditor's rep., December 9, 1819, in *House Journal*, 1820, p. 38.

<sup>51</sup> Most of the accounts of the taxation of the Bank of the United States by Ohio seem to proceed on the theory that the action of Ohio was brought about by, and followed, the handing down of the decision of the Supreme Court in *McCulloch v. Maryland*. Thus McMaster (*History*, IV. 498) says it "was immediately defied and set at naught by Ohio", and later (p. 504) speaks of the "condition of depression and desperation . . . in Ohio". Schouler (*History*, III. 119, 246) states that "the decision was bitterly repudiated by the State officials, . . . who had attempted to levy a tax in defiance of its mandate". The writer is convinced, on the other hand, by his study of the documents, that the people of Ohio had a very good case against the Bank, that they were convinced of the justice of their position, and that they proceeded to test their rights in constitutional, legal, and peaceful ways. It certainly is unnecessary to stigmatize the conduct of the state as "senseless warfare", as does Schouler (*History*, III. 246).

<sup>52</sup> *Ibid.*, p. 40. The accounts usually state that the auditor defied the injunction. Thus Hildreth (*History*, VI. 680) declares that "an injunction from the

instructions to proceed. The latter went to the branch at Chillicothe on September 17, and upon the cashier's refusal to pay the tax, jumped over the counter, "and with force and violence . . . did take from the said office money and notes to the amount of upwards of one hundred and twenty thousand dollars".<sup>53</sup> Five days later the amount in excess of \$100,000 was restored to the Bank. The money thus taken was paid into the Bank of Chillicothe after banking hours and kept there over night. The next day it was taken to Columbus, and \$98,000 was deposited in the Franklin Bank of that city to the credit of H. M. Curry, the treasurer of the state, the other \$2,000 being retained by Harper as his fee.

Meanwhile the injunction asked for had been served upon Osborn, the auditor, on September 18, in which he was directed not to collect the tax, nor pay it out if collected; he was also requested by the Bank to return the money collected. This he refused to do, as the matter had now passed out of his control.<sup>54</sup> Soon after this Harper and Orr, one of the latter's assistants, were arrested at the suit of the Bank in an action at law for the recovery of the money taken by them. Bail was required to double the amount of the money collected, and an action for habeas corpus having failed, they remained in prison until the following January, when they were released by the federal circuit court on the ground that the arrest was irregular.<sup>55</sup> On September 22 an injunction was granted by Judge C. W. Byrd, the United States district judge, restraining the auditor, the treasurer, and the depository bank from making any disposition of the moneys collected as a tax from the Bank.<sup>56</sup> In December Osborn made an elaborate report of all these proceedings to the legislature, which ordered five hundred copies of the report and accompanying documents printed for distribution.<sup>57</sup>

After collecting the tax from the branch at Chillicothe Harper went to Cincinnati, armed with a similar warrant from Osborn, but was assured that the Cincinnati branch had discontinued business and was maintaining an agency only for the purpose of redeeming its paper. Consequently no effort was made to execute the warrant and collect the tax at this place.

Circuit Court of the United States was disregarded", and even Sumner (*History of Banking in the United States*, p. 153), careful and accurate as he is in most respects, errs in stating that an injunction was served on the auditor before the collection of the tax.

<sup>53</sup> Petition of the Bank of the United States, etc., in *House Journal*, 1820-1821, p. 53. The exact sum taken was \$120,425, of which \$7,930 was a treasury deposit belonging to the United States.

<sup>54</sup> Aud. rep., *House Journal*, 1820, p. 41.

<sup>55</sup> For an account of the irregularity in their arrest, see McMaster, IV. 499.

<sup>56</sup> *House Journal*, 1819-1820, p. 61.

<sup>57</sup> *Ibid.*, 1820-1821, p. 38-44.

On November 23, 1819, John Marshall, chief justice, granted an injunction against Osborn, Curry, and others, restraining them from making any disposition of the moneys collected as a tax from the Bank of the United States. The following January<sup>58</sup> application was made in the federal circuit court for an attachment against Osborn and Harper for contempt in disobeying the injunction of the previous September; but after argument the court decided to hold the case under advisement until the following September, on account of the important constitutional questions involved. During the interval a new state treasurer, Sullivan, succeeded Curry. When the case finally came up for trial in September, 1821, the latter in his answer stated that he had received \$98,000 from Harper, which he had held separate and unused, and had delivered to his successor. By an arrangement of the counsel of both parties a decree was entered, ordering Sullivan to restore the amount of the tax together with interest on \$19,830,<sup>59</sup> but providing that the interest, the \$2,000 withheld by Harper as his fee, and the costs be appealed for final decision to the Supreme Court of the United States. A perpetual injunction was also granted against the collection of any tax in future under the tax law of Ohio.

Sullivan contended that he could pay out funds in the treasury only upon the warrant of the auditor, but as no appropriation act had been passed for that purpose the auditor had no legal or constitutional authority to draw upon the treasury. Consequently he refused to obey the decree. The court placed him in custody of the marshal, and issued a writ of sequestration against all his property. Acting under this authority the commissioners named in the writ took from him the keys of the treasury, and entering the vault recovered the \$98,000 originally seized by Harper as the tax.<sup>60</sup> This was taken into court, and there delivered to the agents of the Bank. An appeal was taken, but it was agreed that the appeal should operate on the \$2,000 yet lacking. Not until 1824 did the Supreme Court finally hand down its decision.

Let us now return from this account of court proceedings to the attitude of the people and the legislature. We have seen the effects of the crisis of 1819 upon the local banks and the people of Ohio, and the part which the Bank of the United States played in the

<sup>58</sup> January 5, 1820.

<sup>59</sup> Of the \$100,000 taken, this amount was in specie, and \$80,170 was in bank-notes. Aud. rep., *House Journal*, 1820, p. 41.

<sup>60</sup> Treas. rep., *ibid.*, 1821-1822, p. 49. It does not appear that in these actions there was any intention to resist the orders of the court, but rather to insist upon the technical correctness of each step. The state officials were after all bound by state laws, and were justified in construing their meaning strictly.

financial troubles of this period. The results of the crisis and resulting depression were widespread throughout the entire Mississippi Valley. In most of the states, as Tennessee, Kentucky, Illinois, Missouri, etc., relief and stay laws were passed for the benefit of debtors. Ohio, on the other hand, enacted stringent laws in 1819 and 1820 to compel banks to meet their obligations, though they were not effective in maintaining specie payments on the part of all the banks.<sup>61</sup> And this was done during a period when the falling prices made it additionally difficult for the farmers of Ohio to market their produce at a remunerative price. In the autumn elections of 1819 the taxation of the Bank was the most important issue, and at this time the opponents of the Bank were generally victorious; in one case a candidate received 1591 votes to 369 for his opponent (pro-Bank); in another, 1350 to 640, etc.<sup>62</sup> The legislature of 1819-1820, however, took no further legislative action, as the matter was before the courts and wholly unsettled during the period of its session.

The legislature of 1820-1821 was all but unanimous against the Bank, and early in the session adopted a report giving utterance to

<sup>61</sup> Some of the banks went out of business, the capital of the state banks declining from \$2,003,969 in 1817 to \$1,697,463 in 1819 (*Niles' Register*, March 25, 1820, XVIII. 77-78). In the latter year the circulation amounted to \$1,203,869, the public deposits to \$191,454, and the private deposits to \$263,000; against these liabilities they held specie to the amount of \$433,612, or 26 per cent., which represented a stronger position than that of 1818 (*supra*, p. 316). But the reserve was not equally distributed; eight of the banks succeeded in maintaining specie payments even through the crisis, but the notes of the rest were in varied stages of depreciation. This is well illustrated by the character of the funds held by the state treasury. A committee appointed "to enquire into the state of the funds in the treasury" reported (*House Journal*, 1820, p. 307) that \$141,336 consisted of bank-notes, of which \$78,180 were those issued by the Bank of the United States, \$21,210 of specie, and the balance, or \$51,850, of credits in banks, paper representing loans, and redeemed auditor's bills. "The nature of a part of the funds in the treasury", wrote the governor a year later (*House Journal*, 1821, p. 13), "has caused some difficulty, in transacting the business of that department. . . . There seems, however, reason to hope, that the greater part of these notes can be realized, at no very distant period. . . . Some of the banks, in doubtful credit at the last session of the legislature, are said to be engaged in closing their concerns: and a depreciated currency appears at this time, to be confined to a small portion of the state: but considerable distress is generally experienced, from the deficiency of a good medium of exchange. . . . [There is] danger of depreciation, so long as the debts contracted to the eastern merchants, to the Bank of the United States, and at the land offices (debts equally required to be drawn from the state) shall remain to any considerable extent unsatisfied; and money rather than security will probably continue to be required in negotiations, till the payment shall be nearly completed—a consummation which the extremely low price on our produce and the heavy charge on its transportation, delay and render difficult."

<sup>62</sup> *Niles' Register*, October 30, 1819, XVII. 139.

high state-rights doctrines. This is referred to by several writers as evidence of strong hostility to the centralizing tendency of the federal government and of a reaction towards state sovereignty.<sup>63</sup> It must be clear, however, that the legislature and people of Ohio were actuated in their attitude towards the Bank by no political theories, but rather by an economic situation. In so far as appeal was made to theories of government, it was merely to find constitutional justification for economic motives by which they were guided. That Ohio was not hostile to federal action even within the state limits, is seen by her request to Congress to assist in building her canals, made during the very period when the Bank case was being disputed; by her approval of the Cumberland Road; by her position on the tariff, all the votes of Ohio congressmen being cast in favor of protection in both 1816 and 1824; and by her attitude towards the disposition and taxation of the public lands. In all these cases her position was determined by the economic advantages to be obtained, and not by any *a priori* theories of political relations.

On December 12, 1820, the report just mentioned was made by a joint committee of the legislature. "to whom was referred the report of the auditor<sup>64</sup> relating to the tax collected from the Bank of the United States".<sup>65</sup> Owing to its importance a brief statement of the main arguments may be presented. After reviewing the transactions of the Bank and the passage of the tax law, with the resulting suits, the committee hold that though the state auditor and treasurer were made defendants in suits brought by the Bank, it was in their official capacity as agents of the state. But, according to the Eleventh Amendment, a state cannot be sued, hence the suits had no standing, especially in a *circuit court*.<sup>66</sup> The committee declare that they are aware of the doctrine that the federal courts are exclusively vested with jurisdiction to declare, in the last resort,

<sup>63</sup> E. g., Ames, *State Documents on Federal Relations*, no. III., p. 5; Turner, *Rise of the New West*, p. 300, which follows the account of Ames.

<sup>64</sup> See *supra*, p. 324.

<sup>65</sup> *House Journal*, 1820-1821, pp. 98-132. The text of the report and seven resolutions is also given in *Senate Documents*, 16 Cong., 2 sess., no. 72; in *Executive Documents*, VI., no. 88; in *Annals of Congress*, 16 Cong., 2 sess., pp. 1686-1714; and in *American State Papers, Misc.*, II. 643-654. Extracts from the reports, with the first seven resolutions, are printed in Ames, *State Documents on Federal Relations*, no. III., pp. 6-13. The resolutions alone are given in Niles, XIX. 339-341. In all these, however, the first seven resolutions only are given, the eighth and last being omitted. The *House Journal* gives eight, as described below. King (*Ohio*, 337) states that the report was drawn up by Charles Hammond, the counsel of the state in the Bank proceedings.

<sup>66</sup> Apparently the fact that the restraining injunction had been granted by the *circuit court* rankled more than the decision of *McCulloch v. Maryland*.

the true interpretation of the Constitution of the United States, but "to this doctrine, in the latitude contended for, they can never give their assent". The committee quote with approval the Kentucky and Virginia Resolutions, which they maintain that the states and people recognized in the elections of 1800.

The committee then take up for examination and review the "case of Maryland and M'Colloch". "And upon the promulgation of this decision it is maintained that it became the duty of the state and its officers to acquiesce, and treat the act of the legislature as a dead letter. The committee have considered this position, and are not satisfied that it is a correct one." They examine at great length the reasoning in *McCulloch v. Maryland* and criticize it adversely. The power of Congress to *charter* a bank is admitted, but the claim is made that such a bank is a *private* corporation, not a means of government, and hence its business may be controlled by the states. The conclusion is finally reached after a lengthy refutation, that "a power in the states to tax, or even to prohibit a trade in bills of exchange and gold and silver bullion, is not a power to destroy the corporate franchises of the Bank of the United States. . . . The power to tax their trade, is not a power to destroy the corporation." In the opinion of the committee the Bank of the United States is a mere private corporation of trade, and as such its trade and business must be subject to the taxing power of the state. In reply to the argument that the tax is excessive in amount and therefore unjust, the committee urge that it was levied as a penalty, and it was not supposed the Bank would venture to incur it, but would withdraw its branches.

However, the committee recommend a compromise: if the Bank will discontinue the suits, and withdraw the branches from the state, the amount of the tax shall be refunded. But they urge that the general assembly do not stop here. The reputation of the state has been assailed throughout the United States, and the nature of the controversy, and her true course of conduct have been very much misunderstood. The general assembly should therefore take measures to vindicate the character of the state, and also for awakening the attention of the separate states to the consequences that may result from the doctrines of the federal courts. And as the compromise may not be accepted, they should assert and maintain the rights of the state, by all constitutional means within their power.

Since the exemptions claimed by the bank are sustained upon the proposition that the power that created it must have the power to preserve it, there would seem to be a strict propriety in putting the creating

power to the exercise of this preserving power, and thus ascertaining distinctly whether the executive and legislative departments of the government of the Union, will recognize, sustain, and enforce the doctrine of the judicial department.

[For this purpose the committee recommend the outlawry of the Bank and the withdrawal from it of legal processes and remedies.]

The adoption of these measures will leave the bank exclusively, to the protection of the federal government, and its constitutional power to preserve it in the sense maintained by the supreme court may thus be fairly, peaceably, and constitutionally tested.

The committee conclude by recommending the adoption of eight resolutions: (1) an affirmation of the Kentucky and Virginia Resolutions (passed 59 to 7); (2) a protest against the actions of the circuit court (59 to 7); (3) assertion of the right to tax any private corporation of trade incorporated by Congress and located within a state (unanimous); (4) assertion that the Bank of the United States is a private corporation of trade, the capital and business of which may be legally taxed in any state where they may be found (unanimous); (5) protest against the doctrine that the political rights of states may be settled in the Supreme Court, in cases contrived between individuals (64 to 1); (6) the report and resolutions to be transmitted to other states for their opinion (unanimous); (7) also to the President and Congress (unanimous); (8) that bills be prepared and brought in, to carry out the recommendations of the report. The following day the house ordered 1,000 copies of the report and accompanying documents printed and bound in pamphlet form;<sup>67</sup> at the same time the senate also ordered 650 copies for its use.<sup>68</sup>

Six members of the minority in the house subsequently drew up a report protesting against this report.<sup>69</sup> They contended that the constitutional right of Congress to establish the Bank of the United States was "absolutely at rest". They protested against the view that the suits were contrary to the Eleventh Amendment. And finally they held that the tax of \$100,000 was unjust, as shown by the desire of the legislature to compromise.

In pursuance of the recommendations of the majority report, two acts were passed by the legislature, threatening reprisals on the one hand and suggesting concessions on the other. The first of these was "an act to withdraw from the Bank of the United States the protection and aid of the laws of this state, in certain cases".<sup>70</sup>

<sup>67</sup> *House Journal*, 1820-1821, p. 134.

<sup>68</sup> *Senate Journal*, 1820-1821, p. 119.

<sup>69</sup> February 2, 1821. *House Journal*, 1820-1821, pp. 386-393.

<sup>70</sup> Act of January 29, 1821. Chase, II. 1185. The house passed this act by a vote of 47 to 11. *House Journal*, 1820-1821, p. 324.



Sheriffs and jailers shall not, after September 1 next, take into custody persons arrested at the suit of the Bank. Officers of justice shall not receive acknowledgments for the Bank. Notaries public shall not make protest of notes payable to the Bank. Heavy penalties were provided for violating the law. The last section of the act provided, however, for the suspension of these provisions under certain conditions. If the Bank would discontinue its suits against the state officers, and would in future submit to an annual tax of 4 per cent. on the dividends of its business in Ohio;<sup>71</sup> or if it would withdraw its branches, then the act should be suspended.

Four days later a second act was passed setting forth still more explicitly the terms upon which the state was willing to compromise.<sup>72</sup> The legislature stated its willingness to refund the excess of the tax over 4 per cent. on the dividends. Whenever the Bank will withdraw its suits against the state officers and will submit to the payment of a tax equal to 4 per cent. on its dividends, or if the Bank will withdraw its branches from the state, \$90,000 will be refunded to it. And in future a tax of \$2,500 shall be collected annually as a tax, or else 4 per cent. on the dividends. No attention was paid to these proposals by the Bank, and the act of outlawry accordingly went into effect the following September. It does not seem to have been observed, however, but remained a dead letter on the statute books until it was finally repealed five years later, on January 18, 1826.<sup>73</sup>

No further legislation was enacted relative to the Bank of the United States. In 1822 a resolution to repeal the law levying the tax on the branches of the Bank of the United States was rejected in the senate, 27 to 6.<sup>74</sup> By this time the bad effects of the crisis of 1819 had largely passed away, the necessary liquidation had taken place, and prices were rising again. The attention of the people and the legislature was moreover being absorbed by other topics of even greater interest, namely, schools and canals. When the case of *Osborn v. the Bank of the United States* came up on appeal before the Supreme Court at the February term, 1824, there was no excitement. The decree of the circuit court was affirmed, except that interest should not be paid on the coin part of the money taken.<sup>75</sup>

<sup>71</sup> This was the rate of taxation on Ohio banks.

<sup>72</sup> Act of February 2, 1821. Chase, II. 1198.

<sup>73</sup> *Ohio Laws*, ch. 675, § 1.

<sup>74</sup> *Niles' Register*, January 5, 1822, XXI. 303.

<sup>75</sup> March 19, 1824. 9 Wheaton, 739.

As soon as the decision was announced Ohio acquiesced fully, and made no further effort to contest the point at issue.<sup>76</sup>

Throughout these proceedings [wrote Salmon P. Chase, then a young lawyer in Cincinnati] the state and her officers manifested the utmost respect for the constitutional tribunals of the country. They believed, conscientiously, that the state possessed the right to tax the bank, and measures were taken for the exercise and enforcement of that right. But in no instance was any indignity offered to any judicial tribunal, nor was resistance, in any case, opposed to judicial process. The state was true to the principles which had characterized her former course; and when the supreme court decided against her, she exhibited an example of dignified and unconstrained submission to the judgment of that high arbiter.<sup>77</sup>

ERNEST L. BOGART.

<sup>76</sup> It is not clear what is meant by the allegation in Turner, *Rise of the New West*, p. 300, to the effect that Ohio "even persisted in her resistance after the decision (*Osborn vs. Bank of the U. S.*, 1824) against the state". I have not been able to find any warrant for this statement.

<sup>77</sup> Chase's *Statutes of Ohio*, I. 43.

## DOCUMENTS

### *Secret Reports of John Howe, 1808, II.*

#### IX. HOWE TO PREVOST.<sup>1</sup>

Sir,

The same pleasure which I found at first in passing thro' New England, I had renewed with increased satisfaction, on finding that the opposition to the measures pursued by the Government was daily gaining ground; and I was assured by very respectable Men in the sea-ports in Connecticut that whole districts had agreed to wait until the Meeting of Congress in November in expectation that the Embargo would be then removed, but if it was not then taken off, they have determined to open the Trade themselves.

At Boston I found the same disposition still more strongly manifested; the discussions at the Town Meeting for the suspension of the Embargo,<sup>2</sup> had been very warm, and the measures of the government censured with a Freedom and severity unprecedented. Similar Town Meetings are assembling in most of the Towns in New England. The Leaders of the Democratic Party have handed about a counter petition, and transmitted it to the President. This example the other Towns where Democracy prevails, are following; but none believe the President will suspend the Embargo, till the Meeting of Congress; beyond that period I do not think it will be in the power of the Government to enforce it. The Revolution which has taken place in Spain, and bids fair to effect the Independence of South America, has excited a great desire in these Northern States, to open a commercial intercourse with that part of the American Continent. The resources which South America opens to Great Britain, and the demand which that trade must make for her manufactures, has fully convinced many in this Country who were before attached to the Embargo, of the folly of any longer continuing it. They are now convinced that there is more danger of ruining themselves, than there is probability of destroying the Manufactures of Great Britain. Could Mr. Jefferson and the Party connected with him see any prospect of effecting the latter object, there is no privation they would not submit to to effect it; nor do I think a cordial reconciliation between the two Countries can be effected, while the present ruling Party continues in power.

The Federal Party is composed of Men of the greatest property in the Country, and of the most respectable Talent, and Characters.

Since my return to New England my hopes are revived that Mr. Madison will not be elected to the Presidency; In the Calculation of votes, Mr. Jefferson and Mr. Madison reckoned on New-Hampshire,

<sup>1</sup> This letter concludes the series of Howe's reports written during his first journey. It was written early in September, 1808, as is shown by internal evidence. Apparently it was written from Boston, in the course of the writer's return to Halifax.

<sup>2</sup> Town meeting of August 9. For the petition addressed by it to President Jefferson, see Boston Record Commissioners. *Thirty-fifth Report*, p. 238.

Rhode Island and Vermont; the Elections of the two former have been Federal and scarce a doubt is entertained that Vermont will be the same. If Governor Sullivan does not put a negative on the choice of Electors for Massachusetts, all the votes of New-England will then be in favor of a Federal President. If he does negative the choice of the Legislature, which many think he will not have the temerity to do, he will excite such an irritation as will not be easily suppressed.<sup>3</sup>

If the issue of the Elections, and the enquiries as to the strength of their party should furnish a probability to the Federalists that they might with safety name Candidates for the Presidency, it is the wish at Boston to nominate Charles Cottesworth Pinckney of North Carolina as President, and Rufus King as Vice President; if they cannot run them with a probability of success, they will then agree with a strong party at New York, who wish to bring in Governor Clinton as Presid[en]t and Mr. Monroe as Vice Presdt.

The Embargo has completely federalised all the New-England States, and may eventually lead to a division of the Southern and Northern States, and such is the difference of sentiments and habits between them, and the acrimony with which they speak of each other, that such an event is by no means improbable, and indeed many openly express their wish that it may take place.

The meeting of Congress in November is now looked forward to by all parties with the greatest anxiety; it is agreed by all, that some change in the system will then take place. Though Congress in its ensuing Session will be composed of the same members it was at its last Meeting, yet the late Elections in New England have shewn by their choice of different persons for the New Congress in March, that they disapprove of the conduct of the present men, and they, whatever may be their wishes, must in some measure sacrifice them to the evident change in Public Opinion.

The Recruiting for the 6000 Men goes on very slowly indeed, though recruiting parties are now beating up in all the principal Towns, and though so many people are thrown out of Employment by the Embargo.

The Publications of Sir F. Baring, Mr. Roscoe, and the Speech of Mr. Brougham before the House of Commons, with the Ex: parte Evidence of Mr. Glennie and others,<sup>4</sup> have done infinite mischief in America. This last book I found in the hands of many at Baltimore, and it furnished conversation in all companies. The Friends of the Administration, and they are very numerous in Baltimore and Virginia seized upon it as a complete vindication of the Measures of the President, and as furnishing a hope, that they should by a Continuance of the Embargo, and the foolish story of Manufactures so materially injure Great Britain as to compel her to repeal the Orders in Council, give up the

<sup>3</sup> See Amory's *Life of James Sullivan*, II. 300-303. 311-312.

<sup>4</sup> Alexander Baring (not Sir Francis), *An Inquiry into the Causes and Consequences of the Orders in Council, and an Examination of the Conduct of Great Britain towards the Neutral Commerce of America* (London, 1808, several editions); William Roscoe, *Considerations on the Causes, Objects, and Consequences of the Present War* (London, 1808, several editions); *The Speech of Henry Brougham, Esq., before the House of Commons, Friday, April 1, 1808 . . . against the Orders in Council* (London, 1808, several editions); *Evidence before the House of Commons, on the Petitions of London and Manchester Merchants, respecting the Orders in Council* (London, 1808).

right of search for Seamen, and suffer their Flag to Cover all their impositions.

When I visited this Country 19 years ago, I found a great rage for Manufactures; there were several on a very extensive scale; on my present I enquired after these Manufactures, and found they had long since ceased to exist. There cannot be a greater burlesque than to talk of manufacturing in a country where twice as much is to be obtained from the export of their raw materials as they can gain by manufacturing them: where more than two thirds of the Lands are still uncultivated; and where a common labourer can earn from a Dollar to a Dollar and half per day.

At Salem, Boston, New-York, Philadelphia and Baltimore I have witnessed the rapid increase of wealth to all engaged in the India Trade which Great Britain had granted them under Mr. Jay's Treaty, to the great injury of our East India Company by Smuggling into our Islands, and into every part of our Territory, where they have intercourse, immense quantities of India goods.

The disposition of the present Government in America, in its enmity to Great Britain and its partiality to France is manifest by all its actions. An instance occurred a few days before I left Boston: The British ship *Minerva* from Liverpool with salt etc., after discharging her cargo, took in ballast, cleared out for Passamaquoddy to load there with Lumber and was dropping down the Harbour, when she was boarded and seized by the Marshall for having procured three new gun carriages, and two or three boarding Pikes. She was libelled before I left Boston, for arming in the United States. As a contrast, two French Privateers, one of which had taken the *Duke of Montrose* Packet, were accommodated in every way with repairs and supplies. I have the honor to be etc., etc., etc.

[Signed] JOHN HOWE.

His Excellency  
Lt. Genl. Sir G. Prevost Bt.  
etc., etc., etc.

[Endorsed:] In Sr. G. Prevosts  
Letter to Mr. Cooke  
23 Sept. 1808

[Copy]

#### X. QUERIES AND INSTRUCTIONS FOR HOWE.<sup>5</sup>

No. 1. To ascertain in each of the Governments of the United States whether any Foreign influence prevails therein, and the name of the State, Nation or Country on behalf of which, such influence appears: if possible also find out, the persons and Channels whereby such influence is exerted or Carried on, and by what means, whether by bribery and personal advantages held out, or by Commercial and other national benefits proposed.

No. 2. Ascertain the names of the Persons who appear to be the most leading characters, or who have the most influence in each of the United States, and how the influence of one State preponderates with that of another; also which of the States possesses the largest share of power in the General Government.

<sup>5</sup> These were prepared for Howe's second journey. See the introduction, pp. 73, 74.

No. 3. Ascertain what proportion the two contending parties in America, namely the Federalists and democrats bear to each other.

No. 4. Ascertain in what proportion the Federalists incline towards the interest of Great Britain or France in the present War, so in like manner the proportion of the Democrats who expouse the Cause of either nation.

No. 5. To ascertain whether the present election for President and Vice President has caused any disension in either of the Federalists or democratic parties, and if any such appears the particular Causes which have produced the same.

No. 6. To ascertain whether the elections for the New Congress afford any reasonable prospect that either the Federalist or democratic party will gain an increase of Strength at the meeting of such Congress, greater than the same party held in the old one, also to mark the States in which an alteration of opinion has given rise to such change, and if possible to ascertain the causes of such alteration.

No. 7. To ascertain whether any, and what alteration has taken place since the last meeting of Congress in the strength of the Federalist and Democratic parties, as it existed in those bodies the last session, and in favor of which Side such alteration if any appears to be also whether there is any thing like a third party appearing in either house of congress which does not take a decided part with either of the before-mentioned parties.

No. 8. To ascertain the probable effect of the election now about to close in America,\* and how far the interests of Great Britain or France have been benefited or deteriorated by that event.

No. 9. To mark particularly whether the opinions of the President of the United States have undergone any, and what alteration since the last meeting of Congress, whether from his public communication to the Congress at the new Meeting, or in any other way he appears to waver from the measures which he so strenuously pursued at the last meeting, or whether he still appears determined to persevere in the same line of conduct.

No. 10. To ascertain the general reasons assigned as the causes of hostility to Great Britain by those in America who are inimically inclined towards her.

No. 11. Likewise the general reasons assigned by those who support the interests of France as the cause of their partiality to that Country.

No. 12. Ascertain what measures are generally considered by those unfriendly to Great Britain as most likely if adopted by America, to prove most injurious to her, so on the other hand what measures as considered by the friends of Great Britain as most likely to promote her interests if carried into effect in America, and what Steps would be most likely to counteract the measures of the one or to promote the views of the other.

No. 13. To ascertain whether any and what measures if adopted by Great Britain at the present moment would have a tendency to influence in her favor, either of the parties into which the different houses of congress are at present divided.

No. 14. Find out how the general opinion in America has been affected by the recent events in Spain and Portugal, and what consequence would probably result from the measure if Great Britain had

\* The autumnal elections of 1808.

sufficient influence with the Governments of those Countries to stop any commercial intercourse between them and the United States; enquire whether the alliance between Great Britain, and Spain and Portugal is not considered as a powerful advantage to Great Britain in case of a War with the United States, and whether such alliance is not on that account likely to render the United States more apprehensive of a War with Great Britain.

No. 15. To ascertain whether the Government of America receives any public accredited Agents from the present Governments of Spain or Portugal, or if any Secret intercourse appears to exist between that Government and those Countries in their present state and whether the Agents of the old Governments of those Countries still continue to exercise their respective functions under the Government of America, and remark whether any and what alteration has taken place in that respect.

No. 16. To ascertain whether the change in the Government of Spain has excited any [and] what apprehensions in the American Government respecting the acquisition of Louisiana, and whether any increase of the Naval and Military force of America has taken place in that quarter in consequence of recent events.

No. 17. Ascertain in what proportion each State has suffered in consequence of the General Embargo, and how each state is disposed as to the propriety of continuing that Measure, also whether there is any probability if the Embargo should be persevered in by the General Congress of the Country, that it would be openly resisted by any and which of the States, enquire whether it is apprehended that a resistance to the Embargo would probably lead to a separation of the United States, whether a separation is wished by any political,<sup>7</sup> or by any State in particular, whether a separation is considered as an event very injurious to the Country at large.

No. 18. Has America suffered any and what loss or inconvenience from the execution of the Laws prohibiting the importation of certain manufactures from Great Britain, and whether there is any probability of this measure being still continued, also to ascertain how Great Britain by prohibiting any particular branch of commerce to America could best retaliate for such unfriendly conduct, and whether and what states have particularly suffered loss from the operation of the non importation System from Great Britain.

No. 19. To ascertain the probability of the continuance of the Embargo, also the motives from which that Measure originated, namely whether as a measure to promote the individual interests of America, or as one friendly or unfriendly to the interests of Great Britain or France, and how far the interests of either nation has been particularly affected by that measure in the general opinion of the people of America.

No. 20. Ascertain what Measures the friends of France wish America to undertake as most likely to serve her interests, and what measures those who are not amicably inclined to France, consider would be most injurious to her, if carried into effect by America, also how far it is in the power of Great Britain by any proceeding on her part to prevent the one or to forward the other.

No. 21. Ascertain how far those who compose the General Govern

<sup>7</sup> *Sc.* party.



ment of America, or what States in particular are disposed openly to engage in War with either Great Britain or France, and what proportion the advocates for open war, bear to those who are generally for pacific measures.

No. 22. To ascertain what proportion the advocates for open War with Great Britain, bear to those who are inclined to War with France.

No. 23. To ascertain what measures if adopted by Great Britain would have a tendency to influence the Opinion of America, so as to give a preponderating weight to the cause of Great Britain in opposition to that of France; what circumstances, or what conduct on the part of Great Britain or France is likely to produce an immediate rupture with either power.

No. 24. To ascertain whether the measures adopted by Great Britain towards the United States of America since the last meeting of congress appear generally to have made a favorable or unfavorable impression on the minds of the people of that Country, and whether there yet appears in the general Opinions anything further which they think should be yielded by Great Britain.

No. 25. To ascertain how the recent orders of His Majesty in Council respecting the intercourse of neutral nations with France are generally considered in America, whether they are viewed as a measure particularly hostile to America, or as one resulting of necessity from the previous unlawful prohibitions of neutral commerce on the part of France, what injury has been suffered by the late orders of Council and by what States in particular.

No. 26. To ascertain whether the extention of His Majesty's Orders to a prohibition of Neutral Commerce with the Colonies of His Majestys enemies, would have any and what influence on the public mind in America.

No. 27. To ascertain the Amount of the regular Military Force of America, now in actual pay, and to what extent of preparation the same has attained so as to fit it for actual Service.

No. 28. To ascertain what provision has been made for the increase of the regular Military Establishments of America, and how far such measures have been attended with success or otherwise; whether any and what new measures are in contemplation for that purpose, and as far as possible to ascertain the probable success likely to attend the steps now in operation, as well as those likely to be adopted in future for the same end.

No. 29. To ascertain the number of Militia mustered in each state, how organized and disciplined for Military Service, also how far the Militia of each state are furnished with Arms and other necessary equipments to enable them to take the field, and what quantity of Arms are supposed to be in the United States.

No. 30. To ascertain whether any and what measures have been taken in each, or any State to place any and what proportion of the general body of the Militia, at the disposal of Government, and whether any and what Steps have been adopted to prepare select body in a better, and more effectual state of equipment for actual service than those are in who compose the general mass of the Militia.

No. 31. To ascertain whether any and what draft either under the description of Volunteers or otherwise have been made in any and which of the States for the purpose of being fitted and prepared for actual

Service, and the extent of forwardness to which such preparations have been carried.

No. 32. To ascertain how the regular Army of America is at present distributed, where the principal bodies of that force are now stationed and to ascertain the same points respecting the Militia if any part thereof shall appear to be embodied and called into actual Service; how and by what description of persons the regular army and the Militia of the States are Officered, whether of the Federal or democratic parties, whether disposed to War with Great Britain or France, and whether under the influence of France, whether they have seen service, whether much confidence is placed in them, and who are considered as the most able Officers: whether the people in general are disposed to Volunteer or enlist, or whether they have any dislike to Military Service.

No. 33. To ascertain what Military Fortifications are now carrying on in the United States, the places where such works are in operation, the general extent of the same, and how far they are calculated as a defence from an attack either by Sea or by land.

No. 34. To ascertain the extent of the Naval force now actually employed in the Service of the United States, and to what extent with the present existing means the same could probably be increased within a period of Six Months.

No. 35. To find where the principal Arsenals of the United States are situated, how fortified and defended from attack either by sea or land, and whether any extraordinary or unusual degree of activity appears to prevail therein, whether any new arsenals are forming and Naval Stores collecting, or any contracts entered into for that purpose.

No. 36. To ascertain what ideas are entertained as to the feasibility and mode of attacking Canada, New Brunswick, and Nova Scotia, and whether by Sea or land, whether the inhabitants of those provinces, or any or what part of them are considered as having any partiality for or attachment to the United States, whether it is supposed that there is any disposition to favor or assist the United States in case of War, with Great Britain, or to Separate from Great Britain and enter into the confederacy of the United States.

[Copy.]

[Endorsed:] Queries and Instructions  
to Mr. Howe.

In Sir George Prevost's  
of 30th Nov.\*

#### XI. HOWE TO PREVOST.

Boston November 16th 1808

[Copy.]

Sir,

I have the honor to acquaint Your Excellency, that I arrived at Boston, on the evening of the 14th Instant. It rained so excessively Yesterday that I had it not in my power to do much, except call in the morning at the Custom house with Lieut: Bury, to report our arrival, and that I was the bearer of Dispatches to the British Minister. We

\* 1808.

were treated very politely, and Mr Skinner who accompanied us, was informed that he was at liberty to furnish such Provisions as the *Cuttle* Might need during her stay.

I have today collected the Newspapers the Contents of which your Excellency will find extremely interesting. The President's speech has already become the subject of just and severe animadversion here. It is discriptive of a circle, which his own Artifices have thrown around him, and from which he knows not how to extricate himself. After wasting the Season in sending Messenger after Messenger to France, and knowing that he could not meet Congress without some appearance on his part of a pretended wish for a *reconciliation* with England, the Schooner *Hope* was at length dispatched to England, after the return of the *Osage*. The Letter of Mr. Pinckney to Mr. Canning, presented on the arrival of the *Hope* in England. Your Excellency will find among the papers I now transmit you.<sup>9</sup> Mr. Canning's Note in reply, is replete with the most happy Irony, and is at the same time so dignified and decisive, as completely to defeat the insidious proposal of Mr. Pinckney, and to shew to the American Government, that Great Britain neither fears its hostility, nor very anxiously courts its friendship.

The intentions of Mr. Jefferson in consequence are already manifest in the Resolutions brought forward in Congress, by his Son in Law Mr. Eppes,<sup>10</sup> who proposes a non intercourse Law to put a stop to all intercourse between the Countries; and in addition to this, to place at the President's disposal a large body of the Militia, as supplementary to 100,000 which were liable to be called out by the Resolutions of Congress adopted in their last Session. These proposals have already excited the deepest sensations here, where the evil of the Embargo itself has become too intolerable to be borne; but Mr. Eppes's proposal to draw the cord still tighter, if carried into effect will most assuredly hasten a crisis, to which the Embargo itself is fast precipitating this ill fated Country.

In expectation that Congress would take off the Embargo, a great number of Vessels, both here, and in the neighbouring harbours have been fitted for sea. Several ships have sailed from hence to the Southern States, to be ready to take in freight; and a spirit preparatory to future enterprize, was beginning to shew itself every where. The expectation of the owners of these Vessels is now in a fair way to be blasted, and a spirit of indignation is already manifesting itself in a way that indicates an interesting issue to be at no great distance. At Portland, a Ship and two Brigs, have gone to sea with Cargoes, in defiance of the *Wasp* Sloop of War, which had been sent there to prevent them. Several have also sailed from Cape Ann, and a Brig and another Vessel, sailed in the same manner four nights ago from Cape Cod, loaded with Fish. The Brig was seen and fired at by one of the Gunboats, but she went off in defiance of her.

The General Assembly of this State is now in Session. The Electors for President are already chosen, and are all Federal; and fearing the Governor, should negative their choice, the Legislature were the whole day Yesterday debating the Question whether the Governor had any right of interference, and though both the Letter of the constitution, and the former practice under it, determine that he has, they have now

<sup>9</sup> Pinkney's letter of August 23, 1808, is in *American State Papers. Foreign Relations*, III. 228; Canning's reply of September 23, *ibid.*, 231.

<sup>10</sup> Eppes's resolutions, offered November 10, 1808.

decided that he has not. Thus it is that the power of party in this Country, batters down all the mounds their Constitution has established, and though they by this means accomplish their present purpose, it is establishing a precedent, which will at some future time, stare them in the face, where they have some other favorite object in pursuit. Striking indeed is the happiness we enjoy under our well poised constitution; and this is rendered still more striking when contrasted with the heterogeneous changeling Constitutions of this whimsical age in which we live.

The Assembly here are preparing a spirited address to Congress,<sup>11</sup> demanding a repeal of the Embargo Laws; And today it is also suggested, that if this will not procure the removal of it, they have it in contemplation to bring forward resolutions declaratory of the *Unconstitutionality* of an Embargo for so long a period, and thus to sanction an open opposition to it.

It was intended the *Cuttle* should sail on Sunday; but finding that a Mail from Washington will arrive here on Sunday noon, I have expressed a wish to the Acting Consul, that she should not depart without the Washing[ton] Papers, which I have the promise and which I have left directions to have enclosed to your Excellency.

I shall leave town tomorrow, and proceed without any delay to Washington, as I am anxious to arrive there as soon as possible, I shall fix, as I go on with the consuls, the readiest mode of transmitting my communications to Your Excellency, as it is uncertain, until I reach Washington, how long it may be necessary for me to remain there.

As I have only had one day here, it is at present out of my power to notice particularly any of the Articles contained in Your Excellency's Instructions. But as soon as I have a scope to move in, I will endeavour as far as in my Power, completely to meet Yr. Excellency's wishes.

If the *Bellona* has not sailed for England, I will thank Your Excellency to write a Note, either to Mr. Freeling,<sup>12</sup> or Their Lordships the Post Masters General signifying, that I had at Your desire, again for a short time left the duties of the Post Office.

I have the honor to be etc.

[Sign'd] JOHN HOWE

To

Sir Geo: Prevost Bart.  
etc., etc., etc.

[Copy]

[Endorsed:] Copy of a Letter from  
Mr. Howe to  
Sir Geo: Prevost Bt.  
dated Boston  
16th. Novr. 1808

Reporting his arrival  
at Boston, American Politics etc.

In Sir George Prevosts  
of 30th. Novr.

<sup>11</sup> Text in *American State Papers, Commerce and Navigation*, I. 776-778.

<sup>12</sup> Francis Freeling, secretary to the General Post Office.

XII. HOWE TO PREVOST.

[A Copy]

WASHINGTON 27 Nov 1808.

Sir,

I arrived here on the evening of the 25th. Inst: and immediately waited on Mr. Erskine to whom I delivered my dispatches; he appeared gratified at my arrival, and has assured me of every kind of aid in his power, to enable me to put your Excellency in possession of the actual State of the present Politics of this Country, and the bearing they may ultimately have on Great Britain or her Colonies.

I arrived at Washington, at the very moment when the discussions in Congress have become interesting. Though they have been setting since the 7th. instant nothing material has turned up, more than your Excellency will find in the Papers I enclose. Among these Papers is a Report made by a Committee, to whom was referred that part of the Presidents Message, which concerned their Foreign Relations; to which Report is subjoined several Resolutions which Mr. Erskine, and the most intelligent Men here, are of opinion will be adopted.<sup>13</sup> If these Resolutions are adopted, the Commercial Intercourse of this country with Great Britain and France, will be totally shut up. As the Resolutions which effects the Non Intercourse is expressed in very General terms, Mr. Erskine has found it his duty to enquire of the Government here, if by this Resolution, it is meant to exclude Packets or Vessels coming to him with dispatches, as, if this was the case, he would be compelled to make his bow, and prepare for his departure, he has received assurances that it is not intended to exclude either Packets or Dispatch Vessels, and that the intercourse between the Government, will thus be left open or shut.

Besides the public documents which accompanied the Presidents Message at the opening of Congress, were several of a private nature, and these were read as usual, with closed doors. It is now perfectly understood, that one of these documents, is a Letter from Mr. Armstrong their Minister in France, in which, totally despairing of any satisfaction to be obtained from the Emperor of France, he recommends that War be declared against France, and that the Commercial Intercourse be thereby opened with England.<sup>14</sup> For two days the house of Representatives has had its doors closed and it is now known that Mr. Randolph has been laboring to have the injunction of Secrecy, as it respects this Letter of Mr. Armstrong, taken off, and that it should be made public. Having failed in some of his first attempts to accomplish this object, he has followed it up with Motion after Motion, and though a final negative was put on the attempt, he has succeeded in a Motion that the Journals which contained his several Motions should be published; and this will give so much publicity to the private proceedings as will indirectly effect his purpose.<sup>15</sup>

The course recommended by Mr. Armstrong is undoubtedly the only wise course they can pursue, and all sensible dispassionate Men view it

<sup>13</sup> "Campbell's Report" of November 22. *American State Papers, Foreign Relations*, III. 259-262.

<sup>14</sup> A heightened statement of Armstrong's letter of August 30. *American State Papers, Foreign Relations*, III. 256.

<sup>15</sup> See the "Supplemental Journals" of the session.

in that light. The Report of the Committee of Foreign Relations, will be taken into Consideration tomorrow. I shall attend the house during this discussion, as the dicission on this Report, and the Resolutions adopted in consequence, will very probably mark the course of politics that will be pursued during this session.

Your Excellency will perceive by the Report of the Committee, that they view themselves as completely environed by difficulties, which are the natural effect of the crooked course of policy they have been pursuing. They have been meanly crouching to France, and they are at present suffering the constant effect of meanness, for it has drawn upon them not only the contempt of France, but of England also, as Mr. Cannings Letter very clearly indicates. The Government here has been very much hurt with Mr. Canning's Letter. Mr. Madison calls it a new kind of Diplomatic Language. It has, however, afforded much gratification to the opposition, and will, I think, on the whole do good, the Government feel more keenly the irony of Mr. Cannings in proportion as they are compelled to own, the impotency of their Embargo System, which was to starve England and her dependencies. To find this omnipotent measure, only treated as a subject of ridicule, is more than their High Mightinesses can bear.

If the Non-Intercourse Law should pass, I do not think it could be so injurious for the coming year, as the Embargo has been in the past, as His Majesty's Government is so well apprised of the Caprice of this Government, that its foresight must have fallen upon Modes of subsisting our Islands, distinct from any dependance on America. If the Non-Intercourse Bill pass I have no doubt, but the Militia now ordered, as well as their armed Vessels, and a number of additional Revenue Cutters; which the Government has applied to Congress for, will be employed to enforce the measure as strictly as possible; and the several regulations of the Bill will subject the violators of it to the severest punishment. But whatever is decided on these subjects, I will lose no time in communicating to your Excellency.

If the Non-Intercourse system should go into effect, and no alteration of Measures on the part of the two Great Belligerents be soon the consequence (and the most sanguine among them do not actually support [suppose] the Measure will produce any alteration) then the universal conclusion here, is, that War with one or both the Belligerents must of course, soon follow. Viewing this therefore, as the final consequence that will result, it becomes an inquiry of importance, against whom are they going so extensively to fatisfy [fortify] their Coast and harbours, as the Resolution Contemplates; and against whom is the Military Force now to be arrayed; evidently to be employed. The answers to these Questions, are given by every Man with whom you converse here. They frankly say we cannot if disposed, injure France, nor can she attack us. Her territory is out of our reach, and she has no Commerce on the Ocean. But they say, we can take the British Provinces of Canada, Nova Scotia, and New Brunswick; and if War is contemplated, and Mr. Erskine is very sanguine in his opinion, that it will result upon the present measures, then all the Military preparations in this Country can only have references to the British Colonies—of course every measure of precaution on our part, will be wise, while the present uncertain state of

things continue in this Country. It is amusing to hear them talk here of the extreme facility with which they can possess themselves of the British Provinces. No Man of either Party seems to imagine there would be any difficulty in effecting the Object. I think however, should the trial be made, they will, at least, not find the conquest an easy one.

In discussing this subject with Mr. Erskine, and finding his Mind strongly impressed with the idea, that the present state of things will issue in hostility, I have asked his opinion, whether he imagines this hostility will be immediate or remote, in reply to these enquiries he is decidedly of opinion that War will not take place this Winter, and that preparatory and defensive preparations will alone, be determined on this Session of Congress. He thinks they are sensible that their Harbours are at present too defenceless and too open to our attack if they determined on immediate War.

The Militia in many States is very badly organized. In short he is convinced, that the state of their Military preparations is such, that it cannot excite any alarm in Nova Scotia, during the Winter, nor need it retard any Military object your Excellency might have in view that could be accomplished before the spring.

On enquiry of the success which had attended raising the 6000 regular troops, Mr. Erskine informed me, that he had a few days ago, a conversation with General Wilkinson on that subject—that he informed him nearly the whole number was raised, but that many of them were such miserable wretches, he should have infinite difficulty, in bringing them into any state of discipline or order. A detachment of these Troops, but I believe not a large one has already marched to the frontiers of Canada.

On the subject of the probability of hostility I have conversed not only with Mr. Erskine, but with many sensible Men here who have attended Congress daily since its sitting, and I do not find any of them so apprehensive of War, as he appears to be, nor can I, on the whole, quite subscribe to his opinion. It is however the safest side of the question to contemplate, and therefore I have stated more strongly to your Excellency, Mr. Erskines Opinion. His situation here furnishes him with the best means of information—and there is certainly no lack of Zeal about him to promote H. Majesty's Service.

Mr. Erskine yesterday introduced me to the President with whom we had half an hours conversation. He afterwards called with me on Mr. Madison. Both Gentlemen conducted with much politeness. Mr. Erskine intends inviting Mr. Madison to dinner in a few days, when as I am to be present, I hope to be able to form this Gentleman a more decisive opinion. From the first interview, I own I should give the preference to Mr. Madison, and as there is now no doubt of his being the President for four years to come, I wish if possible, without prejudice, justly to appreciate him. Mr. Erskine is of opinion that Mr. Madison does not at present wish War with Great Britain, and that when left to himself, things may yet ultimately take a better turn than he fears.

There is a British Brig at Baltimore, bound for Halifax, with [which] the British Counsel [Consul] there informs me will sail soon. By her Mr. Erskine intends writing Your Excellency, and I shall imbrace the same opportunity. I forward this to Boston, by an English Gentleman,



who proceeds in the Morning, and expect it will reach Boston in time to go by Kellys Schooner.

I have the honor to be  
Your Excellencys, Most Obedient  
Humble Servant  
JOHN HOWE.

[Endorsed:] In Presidents Crokes<sup>16</sup>  
7 Jany 1809

[Copy]

### XIII. HOWE TO PREVOST OR CROKE.

*Answers.*<sup>17</sup>

To No. 1 and 2.

I have no hesitation in saying from sources on which I think I can rely, that since the Democratic Party came into power, by the accession of Mr. Jefferson to the Presidency which is eight years, that a large Majority from New York to Georgia, have been in favor of Democracy of the grossest kind, and have generally advocated the measures of their Government. Several causes contributed to this Democratic ascendancy in the States generally, and in the Southern States in particular: But the most efficient cause of the defeat of the Federal party, was occasioned by a direct system of Taxation, which had taken place, to no great extent, under General Washington's administration, and which had continued under Mr. Adams's. This system had been continued by both, with a view to the increase of the Naval force of the United States, and to the general improvement, even in time of Peace, of the Fortifications, and Military means of defence of the Country.

Whoever is acquainted with American Ideas, must know that nothing is more alarming than the idea of *Direct Taxation*. The Party now in power excited a general alarm throughout the States on this ground. They decried the expenditure of public Money, on Fortifications, Building of Ships, or any other Measures of Military Preparations, as a waste of public Money, and calculated to keep up and increase the direct taxes of the Country. And since this party obtained power, the greater part of the Fortifications have been suffered to go to ruin. they have sold off a great part of their navy, and the remaining ships have been laid up at Washington, where by the little care taken of them, they have been so much injured, as to have ruined some of them, and to have injured the others, so as to have rendered it extremely difficult and expensive to repair them. This wasteful economy has compelled the Government this year, to keep employed in the Dock Yard at Washington only, upwards of 500 Workmen, besides an expensive Naval Yard at New York, and one at Charlestown, near Boston. The immense influx of Foreigners has also contributed to the establishment of the Democratic power in the Southern States, and among this description of persons, has been a large proportion of Emigrants from His Majesty's

<sup>16</sup> Dr. Alexander Croke, judge of the vice-admiralty court, was administrator of Nova Scotia during the temporary absence of the lieutenant-governor, Sir George Prevost.

<sup>17</sup> These are Howe's answers to Prevost's queries, no. X. above. The queries are repeated in the manuscript, but omitted here. The answers were sent either to Prevost or to Croke as his *locum tenens*.

dominions in Ireland. There are in New York 7 or 8000 of these people. In Philadelphia the number is greater, and the number dispersed through the State of Pennsylvania is estimated at more than four times the number in the Capital. At Baltimore they are overrun with this description of Men. The enmity of these Foreigners to Great Britain is kept alive at Philadelphia, by Duane an Irishman, Printer of the Aurora, who possesses abilities, and is supposed to be in French pay. As far as respects Foreigners the resentment which the American War left on the Minds of Men, and which is not yet eradicated, is often a predisposing cause, which when any new circumstance of irritation arises, is immediately resorted to by the party opposed to Great Britain. The Assistance which France rendered in that War is also resorted to. An attachment to the New order of things in France, of which Mr. Jefferson largely partook, has also predominated throughout the States, and interested them in favor of France, until the receipt of the last dispatches from Mr. Armstrong. These have led to a different way of talking about France, even among the different Members of Mr. Jefferson's Cabinet. This change of opinion, as it respects France is beginning to appear openly in the Speeches of the Government Leaders in Congress. Since the Democratic Party obtained their power in this Country, they have by a variety of artifices retained that influence. Every Federalist has been turned out of Office, and Democrats appointed in their Stead. All taxes which could be dispensed with have been withdrawn: and as the Trade which Mr. Jay's Treaty secured to them has been uncommonly productive, though originally abused by the present party in power, their Revenue, which results from Trade, has furnished an overflowing Treasury, and has rendered it unnecessary to resort to direct taxation.

Among other Artifices the present party have resorted to for perpetuating their power is the following: In the State of New York, as soon as the Democrats had obtained a Majority, on the first meeting of their Legislature, they arranged a New division of their Counties, to give decisive effect to their future Elections. In doing this they took from some Counties where there was an overflow of Democracy, and added these Democrats to counties where Federation prevailed. By means like these they consolidated their power in that State, and have thereby made the most unnatural Division of the State that could possibly be conceived. By the immense number of Foreigners which have been collected in the new settlements they have been enabled the more easily to effect those objects. Another cause which gives a fatal preponderance to the Democratic party, is the perpetual recurrence to Elections. So universal is the Elective Suffrage, that Property and Talents are continually made to give way, to those who have neither the one nor the other. Indeed, Men of property and talents have been so annoyed by the servile means necessary to obtain power, and by the violence and licentiousness connected with it, that they are generally shrinking from the Scene. This last observation was rendered very striking to me while attending congress, which in point of Talents is far inferior to any Congress they have had since their independence. It has not been in my power to collect; with that accuracy I could wish, the names of the Leaders generally; but to the Causes above stated, more than to particular men themselves, are to be attributed the general Democratic ascendancy.

## To No. 3.

In Georgia, South Carolina and Virginia, two thirds are Democrats. This opinion is warranted by the last Election. The same proportion was last year to be found in Maryland, but in that State the Embargo has operated a change in their house of Representatives this Year, which has given a Federal Majority of five. In the Lower Counties of Delaware, more than two thirds are Federal. In Pennsylvania this Year, their Elections have produced a Democratic Majority of more than two thirds. In New Jersey there is this year a considerable Majority in favor of Democracy, but not equal to the Majority of last Year. The New York Elections taking place in the Spring Months, the Federalists lost their Election of State Officers by a Majority of about 1,000. This however was a great gain, as the Majority of the last Year was upwards of 5000 in favor of Democracy. A great change, is, however taking place in the public opinion in that State. The number of Federal votes in the State of New York, for president, when Mr. Jefferson was elected, was only 18; in the present election it was 45. Though outvoted by the — Democratic electors, the gain under all circumstances was considered great. In Connecticut, more than two thirds have been always Federal. This Year their Majority has been greater than ever. In Rhode Island, where Democracy prevailed last year, all their Elections have been Federal by a large Majority. In Massachusetts Democracy, two years ago, obtained a small Majority; this Year the Federalists have gained in the Senate and the house, a Majority of one third. The next elections will be more decisively Federal. In New Hampshire, where for several Years Democracy has prevailed, there is this Year a considerable Federal Majority. In the State of Vermont, the same change has taken place; and Federalism is daily increasing in that State. In the choice of Electors for President by that State lately, there was a Democratic Majority of 4 or 5: But Mr. Lyon<sup>18</sup> explained the reason of it in Congress, to be this: In some of the States the choice of Electors is by general Ticket or Suffrage. In Vermont it is by Districts. This enabled some Districts which have in them so little population, (that he resembled them to old Sarum) to give the same Votes, as the most populous Districts of that State, and in this way he said, this small Majority had been obtained, directly in opposition to the General Voice. The State of Tennessee is generally Democratic.

## To No. 4.

The Federalists generally wish a reconciliation with Great Britain. A large proportion of them from a preference to Great Britain, and others from a conviction that their commercial Interests will be more effectually promoted by a connection with Great Britain, than with any other nation. The Talents and Wealth of America, are almost invariably to be found in this party. There may be exceptions to this last remark, in some measure, as it respects the States South of Pennsylvania. As the feelings of the Federalists are generally in favor of a reconciliation with Great Britain, so, on the contrary the feelings of the Democrats, with few exceptions, have been, until the late Dispatches from Mr. Armstrong, in favor of France. These Dispatches have already had considerable effect, and it now rests with His Majesty's Government if it pleases to give a more powerful effect to this new operative cause.

<sup>18</sup> Matthew Lyon, at this time (1803-1811) member of the House of Representatives from Kentucky, but formerly (1797-1801) from Vermont.

To No. 5.

The Election of President has created a partial division in the Democratic party; some adhering to Monro, and some to Clinton; This division of Sentiment might by the Federalists, have been improved to advantage, by joining with either of the opposing Candidates; but that party had so little confidence in either of them, that they preferred voting for the Candidates, they respected, though they knew their votes would be thrown away.

To No. 6.

The Federal Party on the divisions of the House of Representatives, while I attended Congress, were about 26 to 37. The last Elections will increase the Federal Party in congress to 60 or upwards. The States where the change of Politics has occasioned this difference are already noticed in the answer to No. 3. The causes are chiefly to be attributed in those States to the extreme pressure and impolicy of the Embargo System; to the fear that direct taxes must soon be resorted to, if that System continues, and in many instances, to the shameful conduct of Bonaparte in his treatment of Spain and Portugal; and to an approbation of the conduct of Great Britain in the honorable assistance she has afforded to those Nations. In the Eastern States the universal feeling is warm for the Success of the Spaniards.

To No. 7.

The first branch of this Question is answered by the above observations. As far as respects a third Party in Congress, Mr. Randolph appears to have a sort of influence over about 8 or 9 of the Members. This Gentleman possesses a strong independent mind, is a correct and interesting Speaker, and always listened to with much attention. But he has too full a consciousness of his own powers, and so thorough a contempt for the greater part of the House, that he mixes very little with them, and turns his talents to so little political purpose, as to render them nearly useless. This may in part arise from his extreme feeble habit of body, which often seems too weak to sustain him long.

To No. 8.

The President for the ensuing four Years will undoubtedly be Mr. Madison. From the Diplomatic correspondence in which this Gentleman has been engaged for years, no change of politics was to be expected. But from the late conferences of Mr. Erskine with Mr. Madison, and other persons, who from some late reconciliations between them will undoubtedly form his Cabinet, hopes may reasonably be entertained that they have become convinced that a change of system may make his Presidency much more comfortable to himself, and more popular than the present course they are pursuing; and which they candidly say, cannot be much longer continued. The late Letters received from France have exceedingly mortified them, and strengthened their desire for a reconciliation with Great Britain. Among other Measures brought forward by the Government Party in Congress, which strengthened my hopes as to a change of conduct was a Resolution offered to the House to exclude all Foreign Seamen from Naturalization in the United States.<sup>19</sup> This resolution was received by the House, and will form a clause in a New Naturalization Bill now before Congress.

<sup>19</sup> *House Journal*, December 17, 1808.

AM. HIST. REV., VOL. XVII.—23.

To No. 9.

As far as respects Mr. Jefferson, the President, though he has had a full share of mortification, which the late letters from General Armstrong, are calculated to produce, yet was he to remain in power, I do not believe, that either Mr. Erskine, or any person with whom I conversed, (and I had conversation with some of the most excellent Characters in the District of Columbia, who are thoroughly acquainted with the parties) would have any confidence in a change for the better.

To No. 10.

This Question is fully answered in the Report of the Committee of Foreign Relations, and in the Documents laid before congress.

To No. 11.

The Cause of France is now abandoned by the Speakers on both sides the House. They are learning a New Lesson; and though some of them recite it badly, they now disavow all friendly feeling towards her.

To No. 12.

When Speaking of the means of annoying Great Britain, no other ideas are ever suggested by the Advocates of the Government, but the Non Intercourse System, or War. The friends of Great Britain in America, are anxiously wishing that the Orders in Council may be repealed, and a commercial intercourse opened. They are alarmed at the prominent features of the measures their Government is pursuing, and are afraid they will irritate our Nation, and shut the Door to reconciliation.

To No. 13.

This Question is answered by reference to the late conferences of Mr. Erskine.

To No. 14.

The events in Spain and Portugal have had much effect on American Politics. Had Bonaparte succeeded in obtaining quiet possession of Spain, and the Spanish colonies had submitted to his sway, this Government would long since have pushed America into a War with Great Britain, though every sensible man in the Country, viewed their own destruction as connected with the dominion of France over the Spanish Colonies, by bringing so mischievous a power into their neighbourhood. The late events in Spain have saved this Government for the present, from the mischievous effects of their own politics. It is highly to the honor of the federal party in this Country, that they have continually rejoiced in the Spirit which the Spanish Nation has shewn, and that they received with manifest exultation every account of their success. These people wish a commercial intercourse with Spain and Portugal; and they are afraid, if a reconciliation does not take place between Great Britain and America, that the influence of our Government with Spain and Portugal, will occasion their exclusion from the trade of those Colonies. The renewed Commercial connection of Great Britain with these Countries, has had the best effect in America, in convincing them of the folly of their Embargo, and the perfect imbecility of all their attempts to injure Great Britain. It has also excited a strong fear for the safety of Louisiana, least we should stimulate the Span-

iards to retake a territory they have been so shamefully swindled out of. I was present, when in their Speeches in Congress, they expressed their strong fears that Sir George Prevost's Expedition was destined for that Quarter."<sup>20</sup>

To No. 15.

Mr. Foranda has arrived at Washington, accredited by the Spanish Junta, as Charge D'Affaires to Ferdinand the 7th. He has presented his credentials to the American Government, but when I left Washington, he had obtained no answer from Mr. Jefferson whether he would be received, or refused. Some of the Consuls under the old Government still remain in the States, not knowing what course to pursue. But by an arrival from Bordeaux, of the 2nd November it appears that an Ambassador, appointed by Joseph Buonaparte was at Bonaparte's Levee, before he proceeded for Spain, and was soon to proceed to America. Should he arrive it will place the American Government in an embarrassed situation."<sup>21</sup>

To No. 16.

Great apprehensions are excited for the Safety of Louisiana. A part of the new Levee of 6,000 Men has been sent to that Quarter; and an additional number, sufficient to make the whole regular force lately sent, amount to 2,000 men, were in a few days to March to Baltimore, where Transports were taken up to convey them by water to New Orleans. It was supposed that General Wilkinson, who was at Washington was to go with them.

To No. 17.

The best regular data to judge of the proportion of suffering of the respective States, are to be found in the calculations contained in the Speeches of Mr. Quincy, Mr. Pickering, Mr. Hillhouse, Mr. White and Mr. Lloyd, all of whom have taken great pains to ascertain this Subject."<sup>22</sup> The pressure of this ill judged measure has been felt severely in every part of the Union; however the Eastern States which have been so largely concerned in Shipping, and had by their enterprize obtained the largest proportion of the carrying trade, are the severest sufferers: And if our Government should not be disposed to let them out of their own Trap, and the Government of America should continue the present system, not a doubt can be entertained, but that a separation of the Eastern States will ensue. If the answer of our Government should not meet the wishes of the ruling Party, they will then endeavour to preserve the Union by plunging the Country into a War with Great Britain, in hopes that a sense of common danger, will excite a unanimity, they will have no other means of effecting.

<sup>20</sup> Prevost had gone with forces from Halifax to take part in the capture of Martinique.

<sup>21</sup> Valentin de Foranda, chargé d'affaires, had presented his credentials July 7, 1807. He took his leave by letter in October, 1809. No representative of King Joseph was received. Don Luis de Onis, accredited by the Junta, arrived in October, 1809, but could not secure recognition till 1815.

<sup>22</sup> Speech of Josiah Quincy in the House of Representatives, November 28, 1808; and of Senators Pickering, Hillhouse, White, and Lloyd, on November 30, 21, 22, and 25, respectively, in the debates on Hillhouse's resolutions for repealing the embargo.

To No. 18.

If the Embargo and non importation Acts were to continue as they have done the past year, Great Britain might countervail the mischiefs of the Non-Importation System, by prohibiting the importation of all Articles that Acts permits. These Articles are all of the first necessity and many of the Manufactures they have established in the Country, could not be carried on without those very Articles, by means of which they are enabled to support them. But if the Non Intercourse System takes place, and even War should not ensue, then no restrictive Acts would be necessary on our part.

To No. 19.

The Embargo will not continue longer than the Spring, or until the Non Intercourse Supercedes it. If the Non-Intercourse should take place, as it respects both Great Britain and France, it is still uncertain whether by repealing the Embargo Laws, they will open their Trade to Spain, Portugal and other Powers they suppose friendly to them, as they, in all their Speeches in Congress say, that the Belligerents would in this way indirectly obtain all the Supplies, the Non Intercourse Law was intended to withhold from them. That the motive which induced the American Government to impose the Embargo, was a hostile one to Great Britain, and a servile compliance with the wishes of Bonaparte, no sensible man in America entertains a doubt.

To No. 20.

The whole policy of Bonaparte has been to involve America in a War with Great Britain. And had not the late changes in Spain have taken place, he would before this time have effected his object.

To No. 21.

I am at present satisfied, that Mr. Madison, and those who are to compose his Cabinet, do not at present think it will be for their Interest to be at War with Great Britain. They consider themselves as sure of their offices for four Years; and I am convinced from many circumstances, that they would at present prefer a War with France, to War with England. They are satisfied they must have a contest with one or the other, and they seem to have become sensible that a friendly intercourse with Great Britain, will do them the most good, and that a War with our Nation will do them the most injury!

To No. 22.

Mad as Parties are in America, I do not think, that a Majority of the Population wish a War with Great Britain. The warmest among them, will frankly own, they do not see any benefit they could obtain by it.

To No. 23.

If our Government remove the Orders in Council, reconciliation will ensue. If they do not we shall probably go to War.

To No. 24.

It will be seen by reference to the Report of the Committee of Foreign Relations, and the Documents, that nothing which America views as conciliatory, has turned up since the last Session of Congress.



To No. 25.

The Documents above referred to furnish the best views of American feeling on this Subject.

To No. 26.

If the present American System continues, and War does not ensue, it would be wise in our Government, totally to prohibit all Neutral Trade with our Colonies, if we find we can do entirely without their supplies. Their most intelligent Merchants, are trembling with apprehension lest the impolitic Measures of their Government, should drive our Government to it. Justice to Quebec, Newfoundland, Nova Scotia and New Brunswick require that Our Government should, as far as possible adopt this System, and the rapid manner in which these valuable Colonies are progressing, with the other immense resources of Great Britain, must soon place all her dependencies out of the reach of the Caprice of America, or any other Country.

To No. 27.

The Common regular force of America Amounts to about 4,000 Men. This force has been chiefly employed since the Peace in the Garrisons on the Frontiers, or in Forts situated at the entrance of the principal Harbours. Congress last Year passed an act to add 6,000 Men to the Regular forces of the Country; 3,500 of these Men have been raised. Recruiting Parties are employed throughout the States, endeavouring to raise the remainder. But they meet with no great success; and it is not probable that they will, in another Year raise the whole number. The 3,000 lately raised, are the greater part quite undisciplined, and it will take much time to bring them into Military Order.

To No. 28.

It was suggested before I left Washington, that it had been in the contemplation of the Government, to apply to Congress for an Addition of 20,000 Men to the regular force of the Country. I do not however believe that this measure will be immediately proposed, unless it should be to empower the Government provisionally to raise them, as a political manoeuvre. They cannot easily raise in America any great body of regular Troops.

To No. 29.

Answered by the subjoined Table No. 1. which is generally supposed very accurate.<sup>23</sup>

<sup>23</sup> The materials for this table seem to have been those from which is composed the table printed in *American State Papers, Military Affairs*, I. 200-203, but there are not a few errors.

No. 1. OFFICIAL STATEMENT OF THE MILITIA OF THE UNITED STATES BY THE LATEST RETURNS.

| States.             | Dates. | Divisions. | Brigades. | Regiments. | Total Artillerists. | Total Cavalry. | Total Infantry. | Total Artillerists, Cavalry and Infantry. | Muskets and Rifles. | Brass-ordn. from 12 to 2 lbs. Calibre. | Sabres. | Pairs of Pistols. |
|---------------------|--------|------------|-----------|------------|---------------------|----------------|-----------------|---|---------------------|--|---------|-------------------|
| New Hampshire.....  | 1805   | 3          | 6         | 34         | 46                  | 1,629          | 21,168          | 23,259                                    | 12,520              | 18                                     | 1,808   | 1,763             |
| Massachusetts.....  | 1805   | 10         | 22        | 83         | 2,629               | 2,690          | 61,502          | 66,821                                    | 46,615              | 129                                    | 2,387   | 2,357             |
| Rhode-Island.....   | 1803   | 1          | 4         | 11         | 121                 | 87             | 5,127           | 5,333                                     | 3,052               | 4                                      | 87      | 87                |
| Connecticut.....    | 1805   | 4          | 8         | 33         | 677                 | 1,637          | 18,621          | 20,935                                    | 15,085              | 21                                     | 1,965   | 1,414             |
| Vermont.....        | 1805   | 4          | 10        | 31         | 408                 | 1,263          | 16,510          | 18,181                                    | 3,824               | 3                                      | 1,020   | 1,048             |
| New-York.....       | 1804   | 7          | 31        | 108        | 1,405               | 2,113          | 73,318          | 76,836                                    | 41,947              | 29                                     | 1,431   | 1,344             |
| New-Jersey.....     | 1805   | 4          | 6         | 38         | 72                  | 1,197          | 25,327          | 26,696                                    | 12,509              | —                                      | 750     | 381               |
| Pennsylvania.....   | 1803   | 14         | 28        | 130        | 409                 | 2,840          | 93,192          | 96,448                                    | 29,114              | 7                                      | 1,441   | 1,583             |
| Virginia.....       | 1805   | 3          | 16        | 84         | 1,365               | 3,549          | 68,884          | 73,798                                    | 13,224              | 2                                      | 407     | 333               |
| North-Carolina..... | 1805   | 5          | 12        | 50         | 291                 | 291            | 42,665          | 42,956                                    | 18,914              | —                                      | 71      | 114               |
| South-Carolina..... | 1802   | 2          | 9         | 40         | 911                 | 2,970          | 32,742          | 35,723                                    | 12,878              | 17                                     | 1,383   | 1,057             |
| Georgia.....        | 1805   | 3          | 7         | —          | 101                 | 721            | 18,572          | 19,397                                    | 3,737               | 6                                      | 371     | 239               |
| Kentucky.....       | 1805   | 5          | 12        | 54         | —                   | 771            | 33,176          | 33,176                                    | 19,533              | —                                      | 75      | 95                |
| Tennessee.....      | 1805   | 2          | 6         | 20         | —                   | —              | 16,082          | 16,863                                    | 4,647               | —                                      | 30      | 30                |
| Ohio.....           | 1805   | 3          | 5         | 14         | —                   | 113            | 15,863          | 15,976                                    | 3,515               | —                                      | —       | —                 |
| Maryland.....       | —      | —          | —         | —          | —                   | —              | —               | 30,190                                    | 7,000               | —                                      | —       | —                 |
| Total.....          | —      | 70         | 182       | 734        | 3,660               | 21,876         | 542,857         | 602,585                                   | 258,114             | 236                                    | 13,226  | 11,845            |

This incomplete return contains about one half of the Militia, and near one fourth of the fire arms in the United States.<sup>21</sup>

<sup>21</sup> It is not known what basis there can have been for this statement.

To No. 30.

The President has ordered 100,000 of the Militia to be selected, armed and equipped for actual Service, to be ready at a moment's warning. This draft has been generally complied with. But the general State of Equipment is very incomplete indeed.

To No. 31.

Answered by the above.

To No. 32.

One of the New raised Regiments commanded by Colonel Symonds, has marched to the Frontiers of Canada. But except drafting there has been no movement of any part of the Militia. The Persons who compose the Militia are of all Parties, and taken indiscriminately from all Parts of the Country.

To No. 33.

Answered by Table No. 2 subjoined.<sup>23</sup>

To No. 34.

The following is a complete List of the Navy of the United States.

| <i>Frigates</i>                          | <i>Guns.</i> |  | <i>Brigs</i>     | <i>Guns</i> |              |
|--|--------------|--|------------------|-------------|--------------|
| President .....                          | 44.          | } lately repaired and<br>} fit for service.              | Syren .....      | 16          | } In Service |
| United States..                          | 44.          |  | Hornet .....     | 16          |              |
|  |              |  | Argus .....      | 16          |              |
| Constitution ..                          | 44.          | fit for sea.   |                  |             |              |
| Chesapeake ...                           | 44.          | At sea on the Coast.                                     | <i>Schooners</i> |             |              |
| Constellation ..                         | 36.          | } All lately repaired<br>} and now fit for<br>} Service. | Nautilus ....    | 12          | Guns         |
| Congress .....                           | 36.          |  | Enterprize ..    | 12          | "            |
| New York.....                            | 36.          |  | Vixen .....      | 12          | "            |
| Essex .....                              | 32.          |  |                  |             |              |
| Adams .....                              | 32.          |  | <i>Bombs</i>     |             |              |
| John Adams...                            | 32.          |  | Two.             |             |              |
|  |              |  | <i>Gun Boats</i> |             |              |
|  |              |  | 100 and upwards. |             |              |
| Boston .....                             | 32.          | Unserviceable.   |                  |             |              |
| Wasp Sloop a Ship of 20 Guns in Service. |              |  |                  |             |              |

This Naval force might be suddenly increased by the purchase of Merchant Vessels, many of which might be rendered very useful.

To No. 35.

The Principal Naval Arsenals of the United States are at Washington, New York and at Charlestown near Boston. There are smaller Establishments at Charlestown South Carolina, at New Port Rhode Island, and at Portsmouth New Hampshire. There is also a Naval Establishment at Gosport near Norfolk. There are considerable Depôts of Military Stores in all the States, some of these are in the Capital Seaports of the States, but in General they are at a distance from the

<sup>23</sup> Perhaps this was the table which appears in *American State Papers, Military Affairs*, I. 192-196.

Sea. There is a large Establishment about 10 Miles on the road from Philadelphia to Baltimore. I passed another where there is also an extensive Manufactory of Arms in Springfield Massachusetts. There are considerable quantities of Arms manufactured in the State of Pennsylvania. There is Cannon Foundary at Harper's Ferry on the Potomac, One, two Miles above George Town, and a very extensive one carried on by a Colonel Hughes near the Ferry on the Susquehannah. These Foundaries have for more than a year been all employed in executing large contracts for Cannon of all descriptions for the Government. They are still briskly employed in the same manner. The Government are in short, employing all the Manufacturers of Arms in the Country, to increase as much as possible its warlike implements. Men have been voted to man their little Navy, and Salt Provisions for victualling the Ships have been contracted for at New York, and other Places.

To No. 36.

In conversing, which I had a full opportunity of doing, with men of all parties among them, on the Measures America would pursue, if a contest took place between our Countries, I found the universal opinion to be, that an attack on Canada, New Brunswick and Nova Scotia would immediately ensue; and they consider all the Military preparations they are making as designed for these ends. For they say, France is out of their reach, and they cannot attack her. Against these Colonies therefore alone, all their Military array is expressly pointed. The Conquest of Canada, they contemplate as a matter perfectly easy; and whenever they speak of it they build much on the disposition of the Canadians as friendly to them. They reckon also, on a ready welcome from a number of Americans who have of late years become Settlers in Upper Canada. And this last circumstance at least, may well lead His Majestys Government to consider, whether it is politic to admit as settlers near the Frontiers, men of this description.

They are more at a loss, as Nova Scotia is so much surrounded by Water, to consider the best Mode of attacking it, but do not seem to doubt their ability to effect it. Men of all parties think if a War should ensue, that the Conquest of these Colonies is certain:— Precautionary Measures of every kind are therefore highly necessary.

[Endorsed:] In Sr. G. Prevosts  
19 May 1809

## REVIEWS OF BOOKS

### GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

*Influences of Geographic Environment, on the Basis of Ratzel's System of Anthro-Geography.* By ELLEN CHURCHILL SEMPLE. (New York: Henry Holt and Company; London: Constable and Company. 1911. Pp. xvii, 683.)

THE place of geographic influences in the history of a people or of a state has received a clearer statement and more exact definition by this latest work of Miss Semple's. Although originally planned as a presentation of Ratzel's studies and conclusions in condensed form, it has been developed into an excellent piece of research, carried out with scholarly precision and comprehensive grasp of details. Especially to be commended is the constant emphasis laid on the complexity of the subject under consideration. Man is no longer merely the conqueror of natural environment, nor is he considered the passive creature of physiographic influences. The political, social, and industrial evolution of a community is shown to be a resultant of forces acting upon man in every conceivable proportion and degree. The writer, while desiring to avoid the use of such terms as "geographic determinant or control", makes it clear that some few of these forces should be recognized as physiographic or anthro-geographic. Man from this point of view, either as an individual or as a member of a larger group, is an active agent, and receives successive increments of power from the various physical environments in which he is placed. Thus we have presented the influences of land and sea acting through long periods of time upon the fixed or shifting units of population on the globe. The range of sources consulted and the painstaking accumulation of evidence on every detail of the subject, give the work a distinctively encyclopedic character.

From the evidence offered one can hardly avoid the conclusion of the writer that history has in the past been too far separated from geography and that both subjects have suffered from the separation. As a factor of great pedagogical value in presenting the subject of history, geography has long been recognized in Europe as holding first rank. If the present work has no other result in this country, it will stand as a thoroughly scientific demonstration of the vital relation existing between these two great subjects of study. Geographic interpretation of history is comparable in many of its aspects to that which is advanced by the sociologist, the economist, or the lawyer. The essential difference lies in the relative age at which these influences are most potent. The influence of geography belongs rather to the earlier stages of man's development, being most nearly analogous to similar influences that

affect all forms of life. With fuller development of the social and industrial life, physiography no longer acts as directly or openly; its influence becomes more subtle and hidden. The recognition of this rather obvious fact in history marks a decided advance in the attitude assumed in the present volume over that in earlier works on the same subject; there is left for investigation a wide field of history in which physiographic influences may or may not be shown to be important. But the temptation to claim for physiography what clearly belongs to any one of a half-dozen forces in society, is a difficulty hard to be overcome. In the present work several instances of this might be noted. On pages 229 and 231, we are told that the remoteness of Texas from the Mexican capital led to the independence of the former, whereas it is now quite generally agreed that the keen desire for extension of slavery on the part of the Southern leaders and the realization that upon this extension depended their future status in the Union as well as their wealth and standing, forced the accession of new territory both on the Spanish and on the Mexican frontier. It does not always follow that "territorial expansion of peoples and states is attended by an evolution of their spacial conceptions and ideals" (p. 195). Charles V. at the height of Spanish power exhibited a medieval bigotry and narrowness hardly in keeping with the imperial size of his dominions. Louis XIV. in 1685 revoked the Edict of Nantes shortly after La Salle had added the Mississippi Valley to the territories of New France and when the accession of James II. to the English throne gave every promise of keeping this great state in practical subordination to his own land. The failure of Spain to hold her dominant position in Europe, which she had won by means of the gold from America, cannot be ascribed to geographical causes at home, but rather to religious, industrial, and political causes inherent in her half-developed civilization. The steady growth of the English colonies in America arose not from any ethnic coincidence with political area but from the migration of thousands of Europeans, chiefly English, Germans, and French, to these free commonwealths—a movement which can hardly be claimed as a result of geographic influences. If Spain or France had allowed their persecuted and proscribed subjects to find homes under the national flag in America, New France and New Spain could have held their own indefinitely against the English colonies. The discussion of the historical advance from small to large areas in chapter VI. would be better balanced if it contained some adequate mention of the process of decline and death of states as a result of geographic influence. Still more conclusive would be a presentation of similar causes producing the arrested development of state or community in historic times. The part played by physiography in bringing about the accomplished fact appears to be a little too much taken for granted in the discussion of this vital point in history. The economist has quite another theory to account for the same phenomena, so has the sociologist. Whether Washington and Jefferson derived their larger ideas of national

expansion from the French in America is an open question, to say the least. Why the Jews still cling tenaciously to their religion and national ideals while half a dozen of their neighbors in similar localities have been blotted out, may or may not be explained on grounds of geographic influences. In the treatment of so large a field it is impossible to avoid many seeming misconceptions and errors of fact. But a mere enumeration of these does not invalidate the genuine claim which the subject of anthro-po-geography has upon the progressive student. A new vantage-ground for the study of man is here offered to us and, whether generally recognized or not, it is an aspect of history more and more to be reckoned with in the field of genuine scholarship.

O. G. LIBBY.

*World Organization as Affected by the Nature of the Modern State.* By DAVID JAYNE HILL. (New York: Columbia University Press. 1911. Pp. x, 214.)

IN this work, consisting of eight lectures delivered on the Carpentier Foundation at the Columbia University, the author has sought to show the rationality and feasibility of a general and continuing peace and régime of justice between the nations of the world. This conclusion is predicated upon the growth of a jural consciousness among civilized peoples, and the concrete embodiment of this consciousness in the modern state. Because the modern state is now viewed as a juristic person, possessing rights and owing obligations, and is regarded as having for its essential function the maintenance of justice, Dr. Hill argues that it can enter into a juristic scheme of world-organization without derogation of its autonomy or destruction of its independence. This comprehensive international organization would be juristic in character in the sense that the individual sovereignties party to it would each recognize the definite rights of the others, and provide for the settlement of all disputes that may arise between them by peaceable means and according to juristic principles similar to those which they themselves apply and enforce in the determination of controversies between their own subjects. Dr. Hill places himself squarely among those who hold that there are no international questions which may not thus be equitably and satisfactorily settled. "There are in the world", he says, "no demonstrable rights or interests, as between well-organized States, which may not be adjusted without bloodshed." In the several chapters of his book the author deals successively with the state as the embodiment of law, as a juristic person, as the promoter of general welfare, a member of an international society, a subject of positive law, a mediator of guarantees, and as a justiciable person. He shows the inadequacy of alliances, of the principle of the balance or equilibrium of power, of neutralization, and of federations as means of securing a world-organization. The one efficient means is declared to be the preservation of the independence



and sovereignty of the individual states together with the recognition by them that their relations *inter se* are juristic in character, and that the rights and duties growing out of these relations are juristic and to be accepted and enforced as such. Incidentally there is an interesting discussion of the old question whether state policies are, or should be, governed by moral considerations, the affirmative of this proposition being strongly urged.

As a contribution to pacifistic literature the work is of undoubted value. As a study in political theory not so much can be said. In order to bring international and municipal relations within the same category and subject them to the same tests, essential distinctions are slurred over. Natural, moral, and jural laws are distinguished in definition but confused in practice; no clear definition of sovereignty as a legal concept is developed, indeed, it is expressly denied that the sovereign state has the ultimate law-making power; it is asserted that statute laws are not commands issued by a sovereign authority, but rather agreements as to what shall be received as laws, made by persons set apart for the purpose of legislation; "Nature" is spoken of as a veritable creative and volitional agency; the state is endowed with the attributes of moral personality and declared to have relations to the "law of nature" similar to those resting upon "the natural man"; Locke's social compact seems to be accepted and held applicable between the states; the state is held to be self-conscious and "capable of determining its actions by the power of choice inherent in its collective will". These examples sufficiently represent the general character of the author's reasoning within the field of abstract political theory, and with respect to this side of the work the reviewer has found himself in almost constant dissent. At times these defects in theory vitiate the arguments, but in general the thesis is well sustained, that the modern conception of the state, and of its functions makes feasible definite schemes for the avoidance of war.

W. W. WILLOUGHBY.

*Three Thousand Years of Mental Healing.* By GEORGE BARTON CUTTEN, Ph.D., President of Acadia University. (New York: Charles Scribner's Sons. 1911. Pp. xi, 318.)

THIS is a popular book with excellent initial and concluding chapters, but, except for these, more of a compilation of curiosities of literature than a history of the subject. As a writer on several notable psychiatric cases coming under his personal observation, Dr. Cutten offers a shrewd and sensible introduction to his work. Thus he points out that the religious healer is not able to succeed better than the non-religious; that the distinction between functional and organic diseases, though hard to draw, still holds good; that the failure of certain healers is not because they have lost their powers, but because they have lost their reputation; and, finally, that mental healing creates nothing new, but simply makes use of the normal mechanism of mind and body.

The author's treatment of the nature of psycho-therapeutics is excellent, but that of its origin and development leaves much to be desired. The limitation to three thousand years is unfortunate because it precludes a glance into the dark backward and abysm of primitive belief. Although given in a "comparatively chronological order" the chapters on relics and shrines, on talismans, amulets, and charms lose much of their significance without an ethnological background. In neglecting to utilize a single German authority, the writer fails to utilize the help offered by such a work as Stoll's *Suggestion und Hypnotismus in der Völkerpsychologie*. But the reading of Frazer or Brinton might have shown him certain significant European and Amerind aspects behind the popular superstitions so copiously cited. Indeed, the chief fault of this book appears in this, that it has too many cases and too little classification. In one way this represents the truth—the actual confusion existing in the public mind. As Moll says: "The question here is only one of solitary facts in which no system is discoverable; a system presents itself to us only after the end of the Middle Ages." But in spite of this popular confusion the subject might be cleared up. There are certain broad lines of genetic development pointed out by Frazer which, because of their antiquity, go far to explain the persistence of popular psycho-therapeutic beliefs. Thus, the origin of the royal touch is traced back no further than Clovis I., when reference could easily have been made to its use in an early Egyptian dynasty. But the very limitation of the book's title necessitates the omission of remote cases and cuts out the whole animistic background of this and similar beliefs.

The author's personal opinions, when he gives them, are valuable, but that is not often enough. In the chapter on Mesmer and After a clear distinction is made between animal magnetism and suggestion, between "mystical" phenomena and the state as such. The matter is here well summed up in the statement that "hypnotism to-day is recognized as the product of a long line of erroneous theory and zigzag development". The succeeding chapter on the Healers of the Nineteenth Century is the most interesting of all. It brings together hitherto uncolated material and throws new light on the murky past of mental healing in America. Among less known and less scientific investigators are cited the revivalist Charles G. Finney; the "Mountain Evangelist", George O. Barnes, and Dr. Charles Cullis of Old Orchard Beach. In this list John Bovee Dods, one of the instigators of Christian Science, is omitted, while no authorities are given as to the existence of faith healing among the Pennsylvania Germans and as to New Orleans being an early centre of animal magnetism. Moreover corrections should be made as to the date of Charles Poyen (not Poyan), and as to the place of Benjamin Douglas Perkins.

These are matters of fact; concerning matters of opinion, we cannot agree to the author's positing a fourth period in the history of nineteenth-century mental healing as beginning in 1887 with F. W. H. Myers's

hypothesis of a subliminal self. The president of the Society of Psychical Research, in his postulating of the sub-consciousness as not only a separate entity but as metempirical, did less to aid scientific research than to abet occultism. In truth he did much to foster the so-called New Thought movement which the author considers to be outside the scope of his subject. In conclusion, however, Dr. Cutten's volume, in spite of these remediable defects, has a two-fold value in being an antidote to popular superstition as to drugless healing and a check to shallow mysticism.

I. WOODBRIDGE RILEY.

*Aspects of Religious Belief and Practice in Babylonia and Assyria.*

By MORRIS JASTROW, jr., Ph.D., Professor of Semitic Languages in the University of Pennsylvania. [American Lectures on the History of Religions, Ninth Series, 1910.] (New York and London: G. P. Putnam's Sons. 1911. Pp. xxv, 471.)

THE world is full of books designed to popularize the results of scientific investigation and very important is the function for which they are designed. It is a pity that they are so seldom written by the men who made the investigations, and it is, therefore, the greater pleasure to welcome a book distinguished alike by the most readable popularity and by that unmistakable note of authority struck only by the man who is himself a discoverer of new truth in the field of which he writes. There can be no doubt that Professor Jastrow is the foremost American exponent of Assyriology in the special department of religion, and there is likewise no doubt that this is the best book upon its field in the English language.

The title, *Aspects of Religious Belief and Practice in Babylonia and Assyria*, perfectly indicates the scope of the book. It was delivered in the course of American Lectures on the History of Religions at the Lowell Institute, University of Chicago, Meadville Theological School, Union Theological Seminary, Brooklyn Institute, Drexel Institute, and the Johns Hopkins University. The subjects of the lectures are: I. Culture and Religion; II. The Pantheon; III. Divination; IV. Astrology; V. The Temples and the Cults; VI. Ethics and Life after Death. The first lecture is of great importance for students of history, for it summarizes very admirably the results of the latest investigations concerning the earliest history of both Babylonia and Assyria. Students of general history not specialists in the field of ancient Oriental history will do well to use it to supplement and to correct the works of Rogers, Goodspeed, and Winckler. With this first chapter must also be taken the most useful tables of chronology at the end of the book, which "are based", as Professor Jastrow says, "on recent historical researches associated chiefly with the names of Eduard Meyer, L. W. King, François Thureau-Dangin, Arthur Ungnad, and Arno Poebel". The

most striking point in these tables is the confident reduction of Sargon and Naram-Sin from the period 3750 B.C., to which they are assigned by the historiographers of Nabonidus, to *circa* 2500 B.C. Perhaps it may be well for general students to exercise caution in accepting this radical rewriting of the history even though it be supported by most of the specialists who now are working over this material. In the historical survey it is a pleasure to note that Professor Jastrow has now definitively abandoned Halévy's anti-Sumerian theories and has joined his colleagues all over the world in acknowledging and seeking to define the existence and influence of the Sumerian people and their civilization.

The greatest contributions to knowledge made in this book are in the lectures on the Pantheon and upon Divination. Professor Jastrow has, almost unassisted, laid the whole foundation of our knowledge of liver divination, and erected most of the superstructure. Like every other discoverer, he has probably somewhat exaggerated its importance relatively to other phases of the religion. He has perhaps felt this somewhat himself and has sought to restore the balance by the notable lecture on Ethics and Life after Death, in the first part of which this noble old faith is shown, though sorely oppressed by magic, to have risen to distinguished heights. If I may be allowed at the very end of this notice to express very delicately one personal desideratum, I should say that the whole picture of the Babylonian religion, which the popular reader secures from this book, would be much enhanced in color, truth, and proportion if there had been one lecture on Hymns and Prayers. But this I have no right to demand, for the book does exactly what the title promises, and does it better than ever before.

ROBERT W. ROGERS.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Ireland under the Normans, 1169-1216.* In two volumes. By GODDARD HENRY ORPEN, Member of the Royal Irish Academy. (Oxford: Clarendon Press. 1911. Pp. 400; 363.)

THE importance of the Norman invasion as "the most far-reaching event that occurred in Ireland since the introduction of Christianity" justifies the detailed study to which it has been subjected in these volumes. The author, known especially for his excellent edition of the *Song of Dermot and the Earl* and numerous papers on Norman castles, is an acknowledged authority on this period of Irish history, and the book justifies his reputation. It rests upon a wide use of the available sources of information, documentary and archaeological as well as literary, and there is an evident effort to lay aside modern prepossessions and approach the subject impartially. Thus with regard to the plundering of churches and monasteries for which the Anglo-Norman leaders are often reproached, Mr. Orpen shows that this is something of which the Irish chieftains were also guilty, and in a land where churches were

the ordinary storehouses of the people, their spoliation was a military measure rather than an act of impiety. A large part of the narrative, dealing as it must with the details of the occupation of the country and its division into feudal holdings, is mainly of local and genealogical importance, but much also possesses wider interest. There is a convenient sketch of social and political conditions on the eve of the Norman invasion, and an interesting summary of the results of the first fifty years of Norman rule. The author concludes that there was no general expropriation of the peasantry and that many of the former chiefs were allowed to retain portions of their lands, so that, within the regions controlled by the Normans, districts remained where the old tribal organization and law were preserved and where "the king's writ did not run". At the same time the conquerors plainly looked upon the natives with contempt and lacked the political foresight which would have sought to establish equal rights and bring the whole country under a single law. From the reign of Henry II. on, Ireland was neither one thing nor the other; the natives were unable to drive the invaders out, and the royal power was too remote and intermittent in its action to complete the conquest and establish the reign of law which prevailed in England. Contrary to a common opinion, Mr. Orpen maintains that John's government was no better in Ireland than elsewhere. He was the same man on both sides of the Irish Sea, "capricious, vindictive, tyrannical, only that in his tyranny he was even less under control", although when he came to need the support of the Irish barons "he did something to undo the evil he had done". On the other hand the author believes that the English rule during the century after 1216 was more complete and more beneficent than has been generally recognized, and we shall await with interest his treatment of this period.

One or two observations upon Mr. Orpen's use of his sources may be permitted. Giraldus Cambrensis and the author of the *Song of Dermot and the Earl* he still considers as entirely independent authorities, in spite of the strong arguments adduced by Liebermann to show that certain portions of their accounts go back to a common source. It is true that we do not know what the "customs of Breteuil exactly were" (II. 316), but that is no excuse for ignoring Miss Bateson's attempt to reconstruct them. Although agreeing with Round and Thatcher respecting the attitude of Adrian IV. and Alexander III. toward Henry II.'s expedition to Ireland, Mr. Orpen differs from them in accepting the genuineness of the much-discussed bull *Laudabiliter*. He makes a new point by assigning to the spring of 1173 a letter of credence given by Henry to William Fitz Audelin which has not hitherto been connected with the mission to Ireland mentioned in the Pipe Roll of this year.

CHARLES H. HASKINS.

*La Vie Paroissiale en France au XIII<sup>e</sup> Siècle d'après les Actes Épiscopaux.* Par OLGA DOBIACHE-ROJDESTVENSKY. (Paris: Alphonse Picard et Fils. 1911. Pp. 191.)

THE book in hand is good as far as it goes. It has several virtues not often found within the same covers: it sticks absolutely to its theme; is clear, concise, and interesting; and, on the whole, sound. It is not exhaustive of its subject, however, nor does it pretend to be, for its title shows that it uses only one class of sources, episcopal acts. Every student of the period knows that papal and royal correspondence, chronicles and especially feudal lays, contain pertinent information. Whether or not this method of exploiting only one category of sources is properly called historical scholarship, is a question of secondary importance in this instance as the author announces that the part at hand is only a fragment of a larger work, already in preparation, on morals and ecclesiastical discipline in the thirteenth century.

*La Vie Paroissiale* is an addition to the history of medieval civilization. It was undertaken at the suggestion of M. Langlois, whose later works have been devoted to this deserving field of knowledge. The limits of the book are from the beginning of the reign of Louis IX. to the first years of the fourteenth century, a choice of period which is not as arbitrary as might appear. The beginning was fixed by the fact that Luchaire's *La Société Française au Temps de Philippe-Auguste* had exhausted the subject to the time of Louis IX., the *terminus ad quem* of the book by a change in the character of episcopal acts in the early part of the fourteenth century.

The bibliography at the beginning of the volume is uneven in character, giving books that were of considerable use side by side with others that can have been of no practical help, and omitting the titles of others that were probably used, and in any event are more valuable than some of those named. It leaves the impression of being inserted *pro forma*. The study itself is divided into two parts, of which the first is a critical consideration of the sources. The author opens with a useful critical note on Mansi, *Sacrorum Conciliorum nova et amplissima Collectio*, which might seem almost gratuitous after the merciless examination of that collection by Dom Quentin about a decade ago. Continuing, the author in several chapters, which once for all prove a thorough acquaintance with the pertinent sources, classifies "episcopal acts" as: conciliar statutes, which are not fruitful for information about parochial life; synodal statutes, for forty-five of which texts have been discovered; episcopal decrees, of which the author has assembled sixteen; and reports of church visitors, seven of which have come down to us. It is a pity that a work otherwise so excellent should, besides the ordinary errors which can best be called to the author's attention, have a fault which for the protection of the reader must here be mentioned: the misdating of bishop's reigns. This evidently proceeds from a misunderstanding of Eubel, and results in a mistake of a year, or sometimes two,

which is not much, but none the less impairs the reliability of the work. Though this mistake occurs throughout the book, by the perversity of mundane things there is a cumulation of errors on page 77. Thus Eudes Rigaud was archbishop of Rouen 1248-1275 (not 1247-1275). Jean de Sulli and Simon de Beaulieu were archbishops of Bourges (not Rouen), Bertrand du (not de) Got was archbishop of Bordeaux 1209-1305 (not 1297-1299, during which period he was bishop of Comminges), and Guillaume le Maire was bishop of Angers 1291-1314 (not 1290-1314, or 1261-1314, as given on page 59, where the correct date was evidently intended but the 9 probably was inverted). But this page is unique and does not fairly represent the book, which is generally accurate.

The second part of the study, *La Vie Paroissiale*, is treated in five chapters: I. L'Unité de la Paroisse; II. Les Intrus; III. Les Empiètements du Monde Laïque; IV. Vita et Honestas Clericorum (could not this have been in French since the rest of the titles are?); V. Conclusion. Admitting that a great deal of what is here set forth is already known, these chapters are none the less highly interesting and useful. Every one knows the impression gained from a short visit: certain episodes and objects remain in the mind with all the positiveness that comes from actual experience; and it is on the basis of these experiences and the impressions that one has gained, he knows not when or how, that the life of the place visited is pictured. The chapters before us with much skill take us for just such a fleeting visit to the parish curé, who is the central figure of these pages. In our short stay with him we get positive knowledge of some of his daily life and doings; we perceive that if he does all that is expected of him he will be a busy man, that his office requires capacity, courage, and education, that it gives him opportunity (which he does not always despise) to indulge his selfish or carnal nature, but, on the other hand, he can be, and often is, a tower of strength for the right. All this, these chapters permit us to see with our own eyes, as it were, and they deserve recognition for it.

The book has appended the text of certain pertinent sources which have not previously been printed. EDWARD B. KREHBIEL.

*Geschichte der Serben.* Von CONSTANTIN JIREČEK. Erster Band (bis 1371). (Gotha: Friedrich Andreas Perthes. 1911. Pp. xx, 442.)

At last we are to have a really scientific history of Servia. Hitherto there have been no general histories of the country available in Western languages save the by no means recent or impartial work of Kállay or the still older books of Hilferding and Rajić. The present work forms a part of the *Europäische Staatengeschichte*, begun by Heeren and Ukert, and continued by Giesebrecht and Lamprecht. The author, the well-known professor of Slavic philology in the University of Vienna, published, in 1876—at the age of twenty-two—an excellent *Geschichte der Bulgaren*, and has since put forth a long series of monographs dealing



with the historical geography and the trade relations of the Western Balkan lands in the Middle Ages.

The task of writing the history of medieval Serbia is by no means easy. The sources are fragmentary and scattered. There exists no *Codex Diplomaticus*, no *Regesta*, no *Fontes Rerum Serbicarum*, no historical bibliography. In spite of the labors of numerous Servian and Croatian scholars of the present day, a host of problems remained unexplored or still within the realm of hypothesis. It was decidedly a case of having to build up the whole structure independently from the very foundation.

The first volume gives a survey of the pre-Slavic period of Balkan history; the settlement of Illyricum by the Slavs; the political, social, and economic organization of the Serbs in the early Middle Ages; and, finally, the political history under the Nemanja dynasty down to the battle of the Marica and the death of the last Servian emperor in 1371. This last period was, of course, the golden age of medieval Serbia, an age replete with interest, not only for Slavacists, but for the general student of Eastern European history, and especially for those who seek to measure the political and cultural influence of Byzantium. It is impossible to understand the Servian people of to-day without some knowledge of the heroic age to which the race looks back for its ideals—the age of Stephen Dušan, “Emperor of the Servians and the Greeks”, when Serbia, the dominant power in the Peninsula, ruled from Dalmatia to Thessaly and to the gates of Constantinople.

Professor Jireček's book has the good qualities traditionally associated with German scholarship: thoroughness, accuracy, and sureness of judgment. He cites the sources with rare fidelity and discrimination; he indicates fully the secondary authorities for each chapter. Unfortunately, he writes without any pretensions to style and with scarcely a trace of human emotion—in the approved philological manner. In describing the terribly complicated politics of the Balkan Peninsula in the twelfth to the fourteenth centuries, he seldom spares us a campaign, a raid, even a border skirmish; he whirls us, year after year, from Italy to Asia Minor, from the Danube to the Peloponnesus; one is fairly dazed by the ever shifting combinations, the constant changes in territory and in the balance of power, the endless series of meaningless names, the mass of petty details. We see Greeks, Latins, Servians, Bulgarians, Magyars, Venetians, Saracens, Turks, and all the brood of Gog and Magog, engaged in a grand mêlée, but we are seldom told what it all means, for the writer rarely indulges in a paragraph of comment or explanation. As a repertory of information the book can be highly commended; but it comes dangerously near being merely a collection of desiccated facts.

The succeeding volume is to deal with the internal conditions under the Nemanja dynasty and with the age of the Despots down to the Turkish Conquest. Presumably the work will extend to four volumes.

R. H. LORD.

*Lollardy and the Reformation in England: an Historical Survey.*

By JAMES GAIRDNER, C.B., LL.D., D.Litt. Volume III. (London and New York: Macmillan and Company. 1911. Pp. xliii, 415.)

THE third instalment of Dr. Gairdner's *magnum opus* covers the period of Edward VI., and develops, during a period of marked Protestant ascendancy, the theories which he first advanced in its predecessors. Considering the fact that he announces that his object is "to show the influence of Lollardy on the Reformation", most of his readers will probably be surprised to find little or no explanation of the connection between the two movements. We are assured every now and then "that the principles of Lollardy cropped up again in the Reformation", that "the two things almost seem to be one at this time", that "Lollardy is with us still to some extent", and that "there is no getting rid of it entirely just as there is no getting rid of error or narrowness", but we are forced to take these statements on Dr. Gairdner's authority alone, for he brings forward no evidence to support them. If anything more than a mere question of names is involved in his theories of the continuity of heresy, it surely remains to be proved.

The book is, in effect, a severe arraignment of the doctrines and conduct of the lay and clerical leaders of the government in a period which teems with constitutional and religious innovations, and gives the author an admirable opportunity to display his hostility to "heresy" of all sorts. No attempt is made any longer to conceal the strong bias which was occasionally veiled in the earlier volumes. In one sense this is a distinct advantage, because the unwariest of readers could not possibly be deceived into thinking that the book which lies before us represents anything but a strongly partizan attitude. The author expresses his opinion freely on men and events, but, as the work progresses, it becomes increasingly easy to forecast what that opinion is to be. The imprisoned bishops are invariably extolled for their conscientious refusal to sanction innovation; the government minions invariably condemned for their subservience. Much-abused martyrologist Foxe of course comes in for criticism and refutation at every turn; no dog of that breed is so dead but that Dr. Gairdner must needs beat him. One wonders what he will do when the shoe is on the other foot, and he attacks the reign of Mary. It is certainly clear that his enemies must henceforth make up their minds to be judged by ideal standards according to strictest Actonian principles: no such harsh norm, however, is likely to be set up for his friends.

More strongly partizan than its predecessors, the present volume rests far less completely on the sources. Dr. Gairdner's intimate knowledge of the manuscript material for the reign of Henry VIII. is enough in itself to invest all his writings on that period with importance. With the reign of Edward VI., however, he is far less familiar. None of his

researches has led him to delve particularly deep in this field: the Domestic Calendar for the period is so poor and meagre as to be virtually negligible—the Foreign and Venetian ones are little better, and the Spanish does not cover the reign at all. Dasent's *Acts of the Privy Council* are of course valuable, but they are nothing in comparison with the enormous mass of material which has been made accessible, chiefly through Dr. Gairdner's own efforts, in the *Letters and Papers of the Reign of Henry VIII*. In attacking the period of Edward VI. he has lost the vantage-ground which he has hitherto possessed: he relies, in the present volume, for the most part on printed material which has been long accessible; and the novelty of his work lies rather in the judgments it pronounces than in the facts it contains. The element which has constituted the chief value of his earlier writings is almost absent; but he has given freer play than usual to his individual opinion, which, to say the least, is not always to be trusted.

It seems graceless to write thus disparagingly of the work of a veteran scholar now in his eighty-fourth year, who has spent the better part of his life in rendering the material for the history of the first half of the sixteenth century in England more accessible than that of any other period of her long and glorious annals—particularly so, when it is obvious, at every line, that the author regards the present book as the culmination of his labors. We have done so because the very fact that his name is on the title-page is bound to give the book great importance, and because its bias is so obvious that it challenges controversy in a way which it is impossible to ignore. Future volumes will be awaited with mingled eagerness and apprehension.

ROGER BIGELOW MERRIMAN.

*Histoire de Belgique*. Par H. PIRENNE, Professeur à l'Université de Gand. Volume IV. *La Révolution Politique et Religieuse, le Règne d'Albert et d'Isabelle, le Régime Espagnol jusqu'à la Paix de Munster (1648)*. (Brussels: Henri Lamertin. 1911. Pp. vii, 495.)

IN the course of M. Pirenne's account of the Eighty Years' War as told in this fourth volume of his *History of Belgium* occurs the first definite parting of the ways between the two groups of Netherland provinces. The fortunes of the Dutch republic are left to Professor Blok in his *Geschiedenis van het Nederlandsche Volk*, and from 1579 the pages of Pirenne are devoted exclusively to Belgium in her institutional, economic, social, and political individuality. The epoch between Alva's arrival and the formation of the unions of Arras and Utrecht has been worked over in every detail. M. Pirenne points out that in the early half of this volume, devoted to 1572–1579, he was embarrassed by the richness, in the latter, by the poverty, of his material. For the first part he has used the investigations of others and the narrative, clear and

colorless, is not illumined by new light in its rather meagre phrases. In treating the events that led to the rise of the United Provinces M. Pirenne, naturally, is not animated by an enthusiasm familiar to American and English readers. At the same time he is singularly free from the spirit displayed by certain Belgian writers, notably by Baron Kervyn de Lettenhove. In the dead level of Pirenne's neutral statements, occasional personal touches come as a grateful relief, as in the following characterization of Alexander Farnese: "There is a certain affinity between his character and that of the Prince of Orange in spite of the differences of temperament, of education, and of religious faith. In both is found the same clear-cut will, the same obstinacy allied to the same suppleness. With less natural ease and bonhomie but with more grace and distinction Parma exercised like Orange a charm on all about him and like him won sympathy." The *Apologie* is rated as "le plus beau peut-être, et à coup sur, le plus prestant, en même temps que le plus habile des pamphlets du XVI<sup>e</sup> siècle". Such a cordial appreciation of the prince is a marked contrast to the terms of opprobrium heaped upon him by Baron Kervyn.

After entering on a consideration of the archdukes in their government of the Spanish provinces—the later Belgium—M. Pirenne grows warmer to his theme. His narrative almost breaks ground in its freshness. The reader becomes impressed by the real contribution to the *proportion* of Netherland history by this biography of Belgium.

The sketch of the gradual reduction of Albert and Isabella's promised independent administration to a colonial dependency of Spain is well done, as is also the treatment of the social and industrial life, but perhaps the most valuable chapter of the political story is that devoted to Liège. Pirenne makes clear the various inconsistencies in the part played by that little episcopal state in the revolt. The peculiar relations to the external authority of Church and State are brought out excellently well.

All authorities do not concur with M. Pirenne in his conclusion that racial and linguistic elements went for nothing in the ultimate separation of the Dutch and Belgian states. Religion was the sole cause to his mind. "Ce n'est point une lutte de race, c'est une lutte confessionnelle", he states with precision. The superficial observer is inclined to doubt this dictum, so easy is it to see and feel a fundamental diversity between the peoples, to note an incompatibility of temper quite sufficient to account for failure to be content in a close union.

The concluding volume will be even more interesting than this. M. Pirenne is to be congratulated that he has a new field and the public that it has this fair-minded, industrious Belgian scholar to do this much needed work of filling out gaps and of rounding out the story of his own national history.

RUTH PUTNAM.

*La Marine Militaire de la France sous les Règnes de Louis XIII. et de Louis XIV.* Tome I. *Richelieu, Mazarin, 1624-1661.* Par G. LACOUR-GAYET, Docteur-ès-Lettres, Professeur à l'École Supérieure de Marine. (Paris: Honoré Champion. 1911. Pp. x, 268.)

THE volume indicated above has been preceded by two similar one-volume studies by the same author for the reigns of Louis XV. and Louis XVI., and will be followed shortly by another to complete the reign of Louis XIV. for the period 1661-1715. The author attempts here as in the previous volumes to write "a general history for all those who are interested in the story of the past".

The reader will seek in vain, however, for a connected narrative history which the title of the volume perhaps leads him to seek. He will find instead a series of lectures, originally delivered before the École Supérieure de Marine at Paris, which treat successively the plans pursued by Richelieu for the creation, organization, and administration of a more efficient navy, the important naval campaigns of the period, and finally, in the last chapter, the struggle for naval supremacy between England and Holland during the Commonwealth and its general importance in the history of naval armaments and tactics.

Both the merits and demerits of a history in such a form appear. The style is clear and interesting. The reader is ever conscious that the author is endeavoring to hold his attention. It is perhaps for this reason that the author permits himself to glide over details and become at times extremely superficial. An illustration of this superficiality is to be found in the treatment of the very important siege of La Rochelle to which only eighteen pages are devoted. It does not contain a clear statement of even all the important facts of the siege, as will be seen by a comparison with the treatment of the same subject by de La Roncière (*Histoire de la Marine Française*, Paris, 1910, IV. 444 ff.). Here, as in other parts of the book, the author leaves the impression upon the reader of being unacquainted with the large body of printed and manuscript material which de La Roncière cites and of having failed to profit fully from the work of that author by a careful study of it.

No attention is paid to the state of the merchant marine or to the plans of colonial expansion pursued by Richelieu. Neither, to be sure, is included in the title which the author has chosen for his work, but both are vitally connected with the history of the navy and should have received at least a passing remark.

The author informs us in his preface that his work is based upon material found in the Archives de la Marine, but he fails to add that those archives contain very little for the period previous to Colbert's ministry, that is to say, for the whole period covered by the present volume, and that the importance of his researches there can only appear

in the volume announced dealing with the period 1661-1715. The proof of this is the fact that only about a score of citations to the aforesaid archives is made in the entire volume. His work in the present volume is based, in fact, most largely upon printed material and adds nothing of importance to our previous knowledge.

These bits of criticism have not been made with any intention of depreciating the value of the work which M. Lacour-Gayet has done and is doing, for after all he has written, so far as general readers are concerned at least, the most readable volumes dealing with the military history of the French navy which have yet appeared.

STEWART L. MIMS.

*The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720.* By WILLIAM ROBERT SCOTT, M.A., D.Phil., Litt.D., Lecturer in Political Economy in the University of St. Andrews. Volume III. *Water Supply, Postal, Street-Lighting, Manufacturing, Banking, Finance, and Insurance Companies. Also Statements relating to the Crown Finances.* (Cambridge: University Press. 1911. Pp. xii, 563.)

THE previous volume of Dr. Scott's remarkable work (*AMERICAN HISTORICAL REVIEW*, XVI. 604), which dealt with companies whose operations were mainly related to shipping and to foreign or colonial commerce, was of particular interest to students of British expansion. Even in this volume, which completes part II., the developments with regard to naval stores, fisheries, the South Sea scheme, and the connection of the new East India Company with politics and finance at the start of the eighteenth century, are by no means merely insular in range or of local importance. The chief interest, however, is domestic finance and industry. These, as the title indicates, develop in varied fields, yet throughout, the essential test is that of organization. Here are facts as to the Bank of England and as to companies formed "to trade in hair". The water-supply of London and the "Glasgow Soaperie", proposals for the making of swords and assurance for widows and orphans, all find their place in this cyclopedia of companies and partnerships. The whole is a storehouse of material for social and financial history; and in spite of arid pages the material is well organized; the references are often to rare pamphlets and forgotten newspapers and to manuscripts which hitherto have not been thoroughly examined even by investigators as patient and laborious as Dr. Scott.

The student of economic history expects in volume I., which is as yet unpublished, to profit by the great work of correlation, comparison, and conclusion for which the author's hitherto rigid exclusion of generalization and deduction has in part prepared him. The relationship of financial organizations in the first quarter of the eighteenth century is already in some degree exhibited here; and a table summarizing the

results of part of the contents of volumes I. and II. is available, pages 459-481. Naturally there are omissions; but here we have chronological lists giving for each of the chief joint-stock companies, 1553-1719, the character of the instrument by which the company was established, the type of government, data as to its capitalization, and varied facts relating to the number of shareholders and their powers.

Other welcome matters include an admirable survey of Scottish companies and partnerships, chiefly in the fifteen years which preceded the Union. Variety of production, including textiles, sugar, rum, soap, glass, iron, and cordage, exhibits in part the result of protective and sumptuary legislation in the latter half of the seventeenth century. Furthermore, as the desire of the Scots had been to "rival the Dutch in fishing and the English in the woollen trade" (p. 124), so the English, jealous of that trade in Ireland, were consenting to the development of Irish linen manufactures as an "equivalent" (p. 102) to the check on Irish woollens. The brief record of Irish textile companies thus casts some light on the early stages of this legislation.

An unexpected chapter on crown and national finances contains valuable tables. The subject will be treated in volume I., but here are statements which supplement and elucidate many aspects of the history of the revenue, notably for the reign of Elizabeth, the year 1641, and the latter part of the reign of Charles II. They are based in the main on indicated manuscript material. As a whole, the subject may well be developed to assist the study of some features of general industrial development.

In the field of banking, the analysis of credit conditions and the tabulation of variations in the stock market add to the value of the sound treatment not only of the Bank of England but also of the Bank of Scotland, the various land banks and the so-called Million Bank. These precede a more detailed study of the South Sea Company. Here, at immense labor, a large folding chart gives the daily fluctuations of the stocks of the South Sea and East India companies and of the Bank of England from May to September, 1720. Further evidence as to certain characteristics of this extraordinary period is found in a specially prepared list of 190 "new schemes and old undertakings revived" between September, 1719, and August, 1720.

Such a brief summary of a few of the chief features of this book of necessity renders even an illustrative examination of details impossible. The author's careful method in this packed treatment of confused financial data has already received notice; and the present volume follows the second to await the general judgment with regard to the work as a whole which can best be given when the first volume is published.

ALFRED L. P. DENNIS.



*Souvenirs et Fragments pour servir aux Mémoires de ma Vie et de mon Temps, par le Marquis de Bouillé (Louis Joseph Amour), 1769-1812.* Publiés pour la Société d'Histoire Contemporaine par P.-L. DE KERMAINGANT. Tome III., Mars 1806-Novembre 1812. (Paris: Alphonse Picard et Fils. 1911. Pp. xlv, 625.)

THIS volume forms the conclusion of the *Souvenirs* of Bouillé. (For the reviews of the first and second volumes see the AMERICAN HISTORICAL REVIEW, XII. 924 and XV. 413.) It contains the editor's preface, based, to a considerable extent, upon unpublished material in the archives of the Bouillé family. With the three volumes before us, we are able to reach some definite conclusion concerning the time of writing. The work was dictated by the Marquis de Bouillé and was begun August 8, 1828. The first volume, containing portions of the marquis's recollections already made public, was dictated in 1828 and 1829; the second volume occupied the years 1830, 1831, 1832; and the third was finished, evidently, in 1834. His public career ended in 1812, and he referred at the close of the last volume (III. 572) to "les faits publics qui se sont passés . . . pendant une période de vingt-deux ans déjà écoulés depuis que je ne suis plus, pour ainsi dire, qu'un assistant à la vie". As documentary evidence, this last volume is more valuable than its predecessors, as it is little more than a redaction of very full notes, or journals, written at the time of the events described. It covers the period from March, 1806, to November, 1812, describing in detail the campaigns in southern Italy, Poland, Silesia, and Spain in which Bouillé took part. He did not attempt to describe the operations as a whole, but confined himself chiefly to matters with which he was personally concerned. The chapter on the campaign in the kingdom of Naples was written, Bouillé tells us (III. 1, note), from notes taken during the campaign and written up in 1807. The campaigns of Poland and Silesia, also based upon notes, had been redacted in 1808, those of the years 1808, 1809, 1810, 1811, and 1812 were, according to Bouillé (III. 163, note) written by him, up to the taking of Granada, while he was in the army and afterwards edited under his dictation, from his notes and journal of the operations of the army, and terminated January 3, 1819, in the form in which they have been published. When the rest of the volume was edited he does not tell us, but it is very evident that it too was based upon very detailed notes taken in the field. The military historian of the Napoleonic period can study this volume with profit. He will find in it interesting observations on the conditions of the country in which the campaigns took place, on the composition and activities of the army, on the characteristics of the Napoleonic generals and the weaknesses of the Napoleonic system. Not the least interesting part of the volume is that dealing with the personal fortunes of Bouillé. When he returned to the French army he was given the rank of major, a grade lower than that held before his departure

from France. One follows with interest his struggle to better his condition, to rise to the rank of general. We see the Napoleonic army through the eyes of a soldier of the *ancien régime*. Confident in his own ability, Bouillé attributes his slow advance to the jealousy of those above him in rank; he is given no opportunity to distinguish himself, or when he does distinguish himself his deeds pass unrecorded or unrewarded. His superior may act upon his advice, but he receives no credit for the suggestion. Only after three years of campaigning, in 1809, is he made colonel—the rank he held in the English army—and in 1810 brigadier general. The loss of his sight, in October, 1812, forced him to abandon the army, a disappointed man. "I have almost never been able to be what I might have been and wished to be. . . I have not been appreciated", he exclaimed later. "Retenons ce mot", writes M. Kermain-gant, the editor of the *Mémoires*, "il aide à comprendre l'esprit dans lequel ont été écrits les *Souvenirs*; il en donne pour ainsi dire la clé."

FRED MORROW FLING.

*La Première Commune Révolutionnaire de Paris et les Assemblées Nationales.* Par P. LACOMBE, Inspecteur Général Honoraire des Bibliothèques et des Archives. (Paris: Hachette et Cie. 1911. Pp. xiii, 389.)

It is with a feeling of disappointment that one concludes the reading of M. Lacombe's volume, notwithstanding its excellent qualities. This is not due to the restricted scope of the subject, for the relations between the Commune of August 10 and the two national assemblies, the Legislative and the Convention, during the period closing with the election of a new municipality, are sufficiently complex and interesting to invite extended treatment. The trouble is that while the author quotes many words which the speakers of the Commune uttered, and describes some things which the Commune did, he leaves the Commune itself too much in the shadow. Only towards the close of the volume does it become apparent that Paris is not united, and that, for example, the Bureau and the Council General are bitterly opposed to one another. Not even then does M. Lacombe give us any detailed information upon the nature and extent of these divisions, so that we are obliged to study a controversy between two parties one of which remains, as it were, screened from our gaze. Of course, details about the Legislative Assembly or the Convention are not required, but the Commune of August 10 has not been treated adequately, except so far as Mortimer Ternaux has described it in his *Histoire de la Terreur*, and his description cannot be considered sympathetic. After M. Sagnac's careful treatment of August 10 in his *Chute de la Royauté* the way was open for a similar handling of the difficult period that follows.

In his study of the subject M. Lacombe has purposely limited himself to the analysis and interpretation of speeches. He believes no sufficient effort has been made to penetrate to the real testimony which the

speeches offer, whatever the ostensible motive of their utterance. Consequently he has not used contemporary letters or memoirs, or unprinted material of any sort. For the text of speeches he has relied mainly upon the *Moniteur*, the *Journal des Débats et Décrets*, and M. Aulard's collection for the Jacobin Club.

Although M. Lacombe says he entered upon the investigation of the subject without prepossessions, the result of his studies has been to make him an "adversaire résolu de la Commune et de ses partisans", and he is convinced that "la Commune reste la grande criminelle que rien n'absout". This conviction appears in every chapter of the book and, indeed, determines the line of development in the treatment of the whole subject. He scorns the historian who is simply a registering machine, and goes so far in the other direction that he often apostrophizes his principal characters, especially Danton and Robespierre, interrupting his quotations from their speeches to question and comment. This makes the discussions unusually lively. His remarks are so frank, and he quotes so liberally from the speeches, that even the reader who has not access to the original documents is rarely left at the mercy of his judgments.

Whatever the shortcomings of the method, the presentation is effective and leaves the impression that the Revolutionary Commune seriously compromised the cause of the republic, and that it was condemned by prominent Montagnards as well as by Girondists. Whether this thesis was sufficiently novel to justify the publication of a volume of proof may be questioned.

H. E. BOURNE.

*Geschichte Europas seit den Verträgen von 1815 bis zum Frankfurter Frieden von 1871. Fünfter und sechster Band. (Zweite Abteilung, zweiter und dritter Band.)* Von ALFRED STERN. (Stuttgart and Berlin: J. G. Cotta. 1911. Pp. xiv, 456; xviii, 639.)

STERN's History of Europe from the Congress of Vienna to the Peace of Frankfort has now reached the year 1848, volumes V. and VI. covering the period since 1835. The rate of progress here attained is slightly greater than in previous volumes, in spite of the fact that the scope is somewhat widened by the inclusion of the Scandinavian countries and the content made more complex by the increasing variety of interests considered. This result has been attained partly by reducing the space devoted to strictly political questions and partly by extending the sixth volume to include nearly six hundred pages of solid text.

On the whole the author distinctly improves as he advances. There is little difference in the quality of the scholarship or the thoroughness of the research, but the style seems to grow smoother and more lucid and the interest in other questions than politics and diplomacy more manifest. In truth the fourth and fifth decades of the nineteenth century are far

less important from a political than from a social and economic standpoint and Stern has fully recognized this fact. There are no better chapters here than those dealing with the literature of the period, with the religious awakening, with the rise of socialism and communism, and with the beginnings of the great revolution in commerce and transportation that marked the overthrow of the old system in Europe. For that reason the volumes before us have a peculiar character and coloring of their own in that they deal with a period filled with movements anticipatory of the future. The birthday of the railway was September 15, 1830; Owen was the greatest forerunner of the struggle for economic freedom; the Chartist movement was the first organized proletarian effort in the history of Europe.

The present volumes are based throughout on that same sound foundation of scholarship with which Stern has already made us familiar. The latest monographic literature has been examined and the archives of Paris, Vienna, Berlin, Carlsruhe, and Frankfort have been searched for documents. Hardly a chapter but shows some addition to the knowledge hitherto had of European history. In a few instances the additions are extensive, as in the case of the Spanish Marriages, the career of Louis Bonaparte, the interest of Frederick William IV. in the first United Diet at Berlin, and the economic and political situation in Austria during the entire period. In one respect, however, we meet with a notable omission. No documents are recorded from the British archives. Evidently Stern was denied access to the Foreign Office papers at the Public Record Office after 1837. This refusal by the British government is difficult to understand in view of the fact that students have been allowed access to records of date as late as 1850, and it is greatly to be regretted since these records must throw light on some of the important diplomatic questions here involved.

The volumes open with a chapter on literature, strikingly interesting as showing the influence of the Revolution of 1830 and the close connection which existed at that time between literary expression and social and political aspirations. The author then passes to Austria and Hungary, 1830-1840, and to Germany and the Zollverein. At this point he introduces two chapters on the religious and social movements, and is very successful in dealing with the waves of religious thought and socialistic conviction that swept over Europe and weakened so many of the old established landmarks. In a section on the papacy he portrays the strength of its influence abroad, though suffering from dry rot at home, and its power in combating successfully the neo-Catholic movement under Lamennais. He devotes a large amount of space to Chartism, considerably in excess of that given to the Parliamentary war between the Whigs and the Tories, and he is able to introduce brief sections on Canada and Jamaica. From England he turns to France and traces the influence of the Eastern Question and the gradual loosening of the bonds between England and France. He deals with Louis Bonaparte

and the Napoleonic legend, and in the last half of volume V. takes up the Carlist uprising and the progress of the Eastern Question in relation to Russia, which showed so clearly the weakness of the European system.

Volume VI. opens with a chapter on the great commercial revolution, ushered in by the practical application of steam and electricity, and the influence of that revolution on agriculture, society, literature, and national unity. Then follow chapters on England and the repeal of the corn laws, the Spanish Marriages and the breach with France—a subject that he discusses with great restraint, and then he passes to Germany under Frederick William IV. After reviewing the history of the Scandinavian countries since 1814, and of Denmark to the accession of Frederick VII. and the issue of the patents of 1846, he introduces a stimulating section on the economic condition of Germany and the growth in the minds of the German people of the idea of commerce and a navy, the expansion of the Zollverein, and the extension of customs relations with other countries. In all that he says of Prussia and Austria of this period he has gone far beyond Sybel in accuracy, fairness, and sense of proportion. The last part of volume VI. is devoted to Russia, the Balkans, Austria and her dependencies, Hungary, Italy, Sicily, and Switzerland, and the volume closes with the events in France leading to the Revolution of February, 1848.

In the space allotted to this notice I can do little more than give a general idea of the contents of these volumes. The work of Stern is too well known to need elaborate exposition here. This portion of his history is full of quotable passages, of striking characterizations, and important additions of fact. Everywhere is the treatment sober and well balanced. There are no traces of partizanship, no vagaries, and no unnecessary digressions. The volumes to come will deal with events of greater complexity and magnitude; those which have been written are full of happy auguries for the successful completion of the undertaking.

CHARLES M. ANDREWS.

*Garibaldi and the Making of Italy.* By GEORGE MACAULAY TREVELYAN. (London and New York: Longmans, Green, and Company. 1911. Pp. xi, 390.)

THIS, the third and final volume of Mr. Trevelyan's biography of Garibaldi, was in many respects the most difficult of the three to write. It will be more debated than the others, because it covers those checkered months when Garibaldi the politician undid or denatured much of the glorious work of Garibaldi the paladin of liberty. On these points partizanship still runs high. Mr. Trevelyan, though an admirer of his hero, is not blind to Garibaldi's defects: therefore, his opinions will command unusual attention. For among Italian writers to-day it is almost as impossible to get a sober estimate of the leader of the Thousand as it is among Germans to get a sane estimate of Goethe.

In general, this volume has the same qualities as its predecessors.

Clear in style, concrete in phrase, swift in movement, it confirms Mr. Trevelyan's prestige as a writer of historical narrative; but it deals also with subjects that call for the exercise of judicial faculty, with political snarls that need to be disentangled, and with various characters that must be interpreted. Historical students, whose first curiosity is to appraise an author's material, will find that in this regard Mr. Trevelyan's chief novelty lies in his having had access to Lord John Russell's papers. Lord John, it is almost superfluous to state here, was in 1860 the great foreign champion of Italy for the Italians. Through Hudson, the British ambassador at Turin, he supported enthusiastically Cavour's general policy, and from his brother-in-law, Henry Elliot, the British minister at Naples, he received regular bulletins on the progress of the dissolution of the Bourbon kingdom. The British Blue Books contain the official correspondence; but Lord John's private letters have not been published, and Elliot's *Diplomatic Recollections* were printed privately. Mr. Trevelyan has studied both carefully; with the result that we can now trace with certainty the evolution of Russell's policy during the Garibaldian Expedition.

Probably the most important single event which Mr. Trevelyan helps to clear up is Russell's change of base in refusing to blockade the straits of Messina against Garibaldi. The story has long been known in Italy—Professor Villari printed it nearly thirty years ago—but it has been commonly overlooked; so that the confirmation of it here, from the Russell papers and Vernon's journal, must be accepted as conclusive. The key to Lord John's diplomacy during these critical months was his plan to circumvent Napoleon III. by supporting the Italians. The emperor had forfeited their gratitude by stopping the war at Villafranca, and he had aroused the enmity and alarm of Europe by compelling the cession of Nice and Savoy. Lord John saw his chance and made England the chief backer of the Italian patriots. Mr. Trevelyan has epitomized the shifting diplomatic moves in this transaction with great lucidity.

But his central theme is Garibaldi's own exploits, from the occupation of Palermo in June till the departure for Caprera in November, 1860. All that pertains to the campaign is described with such minuteness that, if Mr. Trevelyan did not display equal aptitude for other branches, we should name military history as his forte. He gives the best report of the battle of Milazzo; he paints a vivid panorama of the miscellaneous fights which made up the victory of the Volturno; he even goes out of his way to chronicle Castelfidardo and the fall of Ancona. Nothing of its kind could be better than his narrative of Garibaldi's rush from Reggio to Naples. His version of these and similar episodes is so excellent that one feels they need not be elaborated again.

But the political questions, though they may seem to shallow readers less picturesque, are nevertheless the most important; and it is on Mr. Trevelyan's treatment of them that the permanence of his work will

rest. These are the nature of the Garibaldian régime in Palermo, Sicily, and Naples; Garibaldi's relations with the Italian government at Turin, and with the various factions of the Party of Action; Garibaldi's character; and his legacy to Italian unity. Speaking broadly, Mr. Trevelyan's account of the political and administrative conditions of Sicily and Naples under Garibaldi is less conclusive than his war story. Taking it for granted that such a revolution among such a people had to be accompanied by abuses, mistakes, scandals, and contradictions, he prefers to blazon the bright spots. He keeps consistently to the fore Garibaldi "the Poet in Action", so that one must sometimes read between the lines to realize the virulence of the policy which Bertani and Crispi engineered with great ability and Garibaldi, more or less unwittingly, countenanced. So too the feuds which have torn Italy for fifty years might never have flourished if Garibaldi had not abetted them. Mr. Trevelyan, however, regards these things as the accidents of the hero's career, and paints what a distant posterity may choose to remember as the essentials—the chivalry towards comrades, the courage, the devotion to the ideal of patriotism, the amazing success as a guerilla leader, the apparent self-sacrifice. We doubt whether any subsequent historian will surpass him in this field.

One cannot take leave of the three volumes without expressing anew admiration that a narrative biography of such high quality has been produced at this time. It is popular in the best sense but based on very careful study of every available source, as anyone who turns from the brilliant text to the numerous and vigorous appendixes will recognize.

WILLIAM ROSCOE THAYER.

*Geschichte der Russischen Revolution.* Von LUDWIG KULCZYCKI. Einzig autorisierte Übersetzung aus dem Polnischen, von ANNA SCHAPIROE-NEURATH. Band II. *Vom Versuch, die Agitation ins Volk zu tragen, bis zum Verfall der Organisation "Volksgfreiheit" (1870 bis 1886).* (Gotha: Friedrich Andreas Perthes A.-G. 1911. Pp. viii, 535.)

PROFESSOR KULCZYCKI's second volume carries out the promise of the first, as described in the July number of this REVIEW. He has continued to write a serious, thoughtful work based on wide knowledge and careful research. His tone is ever sober, his judgment independent. The chief fault we have to find with him is one of limitation. Broad as is his treatment of his subject it is not as comprehensive as his title leads us to expect, for he does not really give us a history of the Russian revolution. Thus he tells us but little of the state of the country or of the movements of the masses; he refers to, without describing or explaining, the anti-Semitic riots of the time, and he vouchsafes almost no information on such important topics as the efforts of the moderate liberals and the doings of the zemstvos. His book might more properly be labelled



"A History of the Russian Revolutionary Organizations", or even of their ideas only. On the topics to which his attention is primarily devoted, he is most instructive, though not, it must be confessed, easy reading. Countless names of obscure heroes or conspirators—whichever we choose to regard them—appear but once or twice in his pages to be succeeded by others equally fugitive, and the theories and writings that he analyzes are so numerous and often so much alike that the reader is in danger of retaining a blurred impression when all is done. Most students of the Russian revolution would indeed be grateful to Professor Kulczycki if he had said a little more about actual events during the period he describes, albeit at the sacrifice of some pages about, for instance, the metaphysical principles underlying the socialistic theories of Lavrov. We feel a certain relief when we reach the second part of the volume, which covers the years when his characters begin to do something besides theorize and write clandestine literature.

It was during the late seventies that the Russian revolutionaries gradually dropped the vague theoretical anarchism they had imbibed from Bakunin and others, and abandoned their worship of the ideal nature of the peasant and their dream of a spontaneous social upheaval. Instead, they became a party of action, theoretical Socialists, usually of the school of Karl Marx, but willing to postpone the regeneration of society to the more immediate task of combating the existing form of government. In order to do this last the more effectively, they were now ready to ally themselves if need be to the liberals, the representatives of the bourgeoisie. Also, recognizing that the peasants were with few exceptions beyond their reach, they directed their efforts, and with a measure of success, to winning recruits from the new class of the industrial laborers. With the government they waged relentless war, that is to say, they became terrorist assassins. Their extraordinary series of exploits, beginning with the shooting of General Trepov, January 24 (old style), 1878, by Vera Sassulich, culminated in the murder of Alexander II. on March 1, 1881. After that, when they had almost driven the autocracy to the granting of some sort of constitution, they suddenly paused. Most of the active members fell sooner or later into the hands of the police and the rest of the party returned to the more peaceful task of "education" or secret propaganda, but not of real conspiracy. The volume closes with the dissolution of the society of Narodnaia Volia (Liberation of the People) and the gradual quieting down that marked the reign of Alexander III.

We note that Professor Kulczycki, though always calm, makes no concealment of his sympathy with the Terrorists. Far from condemning them, he evidently regards the abandonment of their policy as a great mistake. It is therefore easy to forecast what his attitude will be when he comes to deal with more recent events.

ARCHIBALD CARY COOLIDGE.

## BOOKS OF AMERICAN HISTORY

*Die Spanier in Nordamerika von 1513-1824.* Von ERNST DAENELL.  
[Historische Bibliothek herausgegeben von der Redaktion der  
*Historischen Zeitschrift*. Band 22.] (Munich and Berlin: R.  
Oldenbourg. 1911. Pp. xv, 247.)

THE title of this book is misleading, for except incidentally nothing is said concerning what is now Mexico, manifestly the most important if not the largest portion of Spain's dominions in North America. The book is rather a sketch of Spanish activities within the present United States, and is the first of this class to appear. Such being the important position occupied by the work, a statement of its scope and organization is indispensable. It contains twelve chapters, dealing with: (1) Spanish North America before the conquest of Mexico, Ponce de León, Pineda, Narvaez, and Cabeza de Vaca; (2) the great explorations—Cortés, Fray Marcos, Coronado, de Soto, Cabrillo; (3) the occupation of Florida and New Mexico; (4) Spanish colonial methods; (5) New Mexico to 1680; (6) Peñalosa and La Salle; (7) expansion in the later seventeenth century—Texas, New Mexico, Florida, Lower California, Pimería Alta; (8) the first half of the eighteenth century—Florida, New Mexico, Texas, the contest for the great plains; (9) changes and progress till the American Revolution—the Louisiana cession, Russia on the Pacific, Rubí, Alta California; (10) the end of Spanish rule—Spain and the American West, the sale of Louisiana to the United States, pressure by Americans on the Spanish frontier, the revolution in New Spain, results and significance of the Spanish régime. The book is broadly conceived, as the foregoing shows, and on this score deserves commendation.

While some attention is given to the internal development of the different provinces and two chapters are devoted to colonial administration and commercial policy, the central theme of the book is political—the external struggle with France, Russia, England, and the United States for dominion. In general the treatment of this phase is good, and especially so is the account of the frontier contest in the eighteenth century for the control of the great plains east of New Mexico. But there are some shortcomings even on this score. No mention is made, for example, of the contest for the control of the Lower Trinity River, of the very significant expansion movement on the northeastern frontier of New Spain on the eve of the Louisiana cession of 1762, of the connection between that cession and the occupation of Alta California; or of the reoccupation of eastern Texas after 1772, an event of great significance for subsequent developments.

Chapter iv. is a good summary of Spanish colonial methods in the sixteenth century as set forth in the ordinances, but there is no hint that, except in the beginnings of New Mexico and Florida, in the sixteenth century, these rules had little practical application in the frontier provinces which form the theme of the book. The whole matter of

*encomiendas*, for example, is beside the point when treating of Spanish Texas or Spanish Alta California. In other words, a correct knowledge of actual administration in the frontier provinces in the seventeenth and eighteenth centuries cannot be gained from general ordinances of the sixteenth century. The investigation must go deeper. A discussion of the administration of the northern provinces which makes no mention of the *Provincias Internas* or of the Marine Department of San Blas is manifestly inadequate.

The author has made extensive use of several of the larger collections of sources, but we miss with surprise citations of the *Documentos para la Historia de México* (Mexico, 1853-1857), the "*Memorias para la Historia de Nueva España*", or the more special collections such as Garcia's *Dos Antiguas Relaciones de la Florida*, and Portillo's *Apuntes para la Historia Antigua de Coahuila y Texas*. Independence is praiseworthy, but the desire to be independent does not justify ignoring the work of specialists in the field. A wider use of monographs and a less confident reliance upon French sources, principally those contained in Margry, would have saved the author many errors of detail.

The weakness of the book on this score can be illustrated by the treatment of the single province of Texas, in which we miss references to the works of de León, Espinosa, Arricivita, Yoakum, Portillo, and Garrison, and numerous indispensable papers published in the *Texas Quarterly*. The author implies that de León's expedition of 1689 was the first instead of the fourth by land in search of the French (p. 124); de León did not have four or five hundred men, but eighty or one hundred, on that expedition (p. 124); the second mission on the Neches was not founded by the Terán expedition, but in 1690 (p. 125); there is little ground for the statement that the Asinais Indians hated the Spaniards in 1719 (p. 146)—as a matter of fact they begged the missionaries to remain with them; Los Adaes (not Adai) was seven leagues, not seven miles, from the Red River (p. 147); it was established for the first time, not re-established, in 1721 (p. 147); San Antonio was not founded in 1692, but in 1718 (p. 148); Espiritu Santo Bay was occupied from San Antonio, not Los Adaes, as a base (p. 147); the statement on page 148 concerning the number of presidios in Texas is not clear, but if we understand its meaning it is incorrect: it is very erroneous to state that Texas took no active part in the Mexican War of Independence (p. 244).

In short, the book is a very useful and meritorious general sketch, but is marred by numerous shortcomings of detail and insight which would have been corrected by a more specialized knowledge of the field.

HERBERT E. BOLTON.

*The Swedish Settlements on the Delaware: their History and Relation to the Indians, Dutch and English, 1638-1664.* With an Account of the South, the New Sweden, and the American

Companies, and the Efforts of Sweden to regain the Colony. In two volumes. By AMANDUS JOHNSON, Ph.D., Instructor at the University of Pennsylvania. (Philadelphia: University of Pennsylvania. 1911. Pp. xx, 1-466; xii, 467-879.)

MODERN studies of New Sweden begin with the publication of Odhner's *Kolonien Nya Sveriges Grundläggning* in 1876 and of Sprinchorn's *Kolonien Nya Sveriges Historia* in 1878, by which the Swedish archives were made to cast a flood of light on the subject, and of Fernow's *Documents* (*N. Y. Col. Doc.*, XII.) in 1877. On these Professor Keen built his remarkably excellent account in Winsor, published in 1884. Since that time the main features of the story have been correctly known. But these articles of the Swedish professors and of the American professor of Swedish descent were only sketches, and without doubt Dr. Johnson's elaborate work will take rank henceforward as the chief, and for a long time to come the definitive, account of New Sweden and of its antecedents. Indeed so extraordinarily thorough has been his search that it is not easy to imagine anyone discovering much more at any time in the future by gleaning after him. Endowed by nature with a remarkable scent for documents, he has ranged through Sweden, gathering apparently all that related to his subject in the Royal Archives and those of the Exchequer and Admiralty at Stockholm, and in the Royal Library there, in the archives of the Consistory at Upsala, and in the university libraries of that city and of Lund. He has worked through the needful portions of the archives of the Hague and London, the rich stores of manuscript possessed by the Historical Society of Pennsylvania, and a few other collections, and it does not appear to the reviewer that he has neglected any bit of evidence already in print that relates to his theme. The result of all these patient and laborious searches has been the discovery of not a few documents of importance, the revelation that the Swedish archives cover the history of the colony, especially its economic history, with quite exceptional fullness of detail and completeness, and the accumulation of a great fund of knowledge respecting the Swedish settlements in the Delaware River region. Many of the documents unearthed seem well to deserve publication, especially the series of letters of Governors Printz and Rising, and Rising's minute and valuable journal. Those which Dr. Johnson prints in one of his appendixes are for the most part merely instructions to outgoing officials.

It is no disparagement of the book to say that its highest merits are in the field of heuristic since its success therein is most unusually complete. As a narrative exposition of the history of an interesting colonial experiment it is also worthy of high praise. It has little grace or attractiveness of style, but is clearly and intelligently written, with only occasional influence of Swedish or other foreign idiom. It is of much the same sober variety as Brodhead's history of the same period

in the history of New Netherland; indeed the comparison between the methods and mental qualities of Brodhead and of our author would be a close one, though the latter has not quite Brodhead's accuracy of statement, nor all his correctness in bibliographical reference or in proof-reading. On the other hand his picture of the European background of his story is more vivid than Brodhead's, and he does far more to illustrate the financial history of the colonizing company at home and the economic and social history of the colony itself. His bibliographical appendix is remarkably extensive, perhaps in parts too much so, and his appendix of brief biographies of the chief persons involved in his story is a helpful feature, though it causes the excision of much interesting matter from its normal place in his text.

The management of the text presents the dilemma usual in histories of colonies, the division of attention between the two sides of the Atlantic. Dr. Johnson solves it by alternation—first a group of chapters on developments in Sweden, then a group on the events in the Delaware colony, and so on in succession through the chief natural periods of the story. In the former set he describes in a businesslike manner the history of the various Swedish colonizing and commercial companies, surveys Sweden's international politics in that great era carefully but not brilliantly, and sets forth with particular pains the details of that country's social and economic life in the earlier half of the seventeenth century. A wealth of good illustrations helps out this exposition, and it is made to tell very effectively in the valuable chapters on the culture-history of New Sweden. The index is good. It is quite possible to maintain that 900 pages imperial octavo is a good deal for twenty-six years' history of a colony that never numbered five hundred inhabitants. But there are more than a million persons of Swedish descent in the country now, and New Sweden prepared the way in an important degree for the great commonwealth of Pennsylvania, and the story may well be told, once for all, with authoritative fullness. Taking it as it is, the book reflects great credit on the author, on his university, and on the Swedish Colonial Society, which has given substantial aid toward its publication.

J. FRANKLIN JAMESON.

*The Holland Land Company and Canal Construction in Western New York.* (Volume 14 of the Publications of the Buffalo Historical Society. 1910. Pp. xiv, 496.)

No part of this volume contains more that is of potential interest to the readers of the REVIEW than the Rough List of Manuscripts in the Library of the Buffalo Historical Society which occupies pages 423 to 485. Many of the manuscripts are, naturally, of local concern only. But others are of scattered or even of general significance. Thus the fur-trade finds illustration from Ogdensburg to Great Slave Lake, and the

early trade of the Great Lakes from Black Rock to "Chicager". There are also many papers referring to the Indians, and not a few to the Civil War. Perhaps the Holland Land Company's papers, which furnished most of the material for the present volume, and the papers of Millard Fillmore, largely printed in volumes X. and XI. of the society's *Publications*, are of the greatest general interest. But it is difficult to be sure of that because the list is unevenly compiled. Sometimes single letters, and even receipted bills, are separately calendared. In other places "several hundred documents" are covered by one brief entry and "several thousand" are disposed of in four pages. Still the list as a whole confirms the favorable impression which the successive volumes of the society's *Publications* have made concerning its manuscripts, and renders it especially grateful to note here that "the entire collection is classified, catalogued and as readily and freely at the service of students as the books in our library".

The correspondence which gives title to this volume occupies less than half its pages. Joseph Ellicott, local agent of the Holland Land Company at Batavia, is the writer of most of the letters, and his principal correspondent is his chief, Paul Busti, general agent of the Holland Companies in Philadelphia. There are letters also from Governor Clinton, Simeon DeWitt, and various congressmen and canal commissioners, notably Thomas Eddy and Myron Holley. Ellicott's knowledge of the western country, especially exhibited in two detailed reports to DeWitt in 1808 and 1817, seems to have been put at the disposal of the commissioners without much consideration of the company's peculiar interests. In respect, however, of the company's donation of its lands to the state in aid of the construction Ellicott, who always believed the project of the canal feasible, was quite as canny as Busti, who was still insisting in 1817 that "if ever begun it will in no age be completed". As a whole the correspondence throws a welcome light upon the financing as well as the construction of the canal, and it incidentally illuminates many economic phases of the movement of population from New England into western New York.

The student of New York politics, as well as the local historian of the canal towns, may well read the seventy pages containing the gossipy journal of the tour which Colonel William Leete Stone made from New York to Niagara in 1829, but only botanists or geologists will concern themselves with young George W. Clinton's briefer account of his school excursion over the canal in 1826. Almost altogether local are the eighty pages of Black Rock Harbor Papers, 1816-1823, which supplement even ampler materials on the same subject published in earlier volumes.

The editor's notes are not extensive, but they seem to be adequate and accurate. The volume is well printed, well indexed, and well bound. Altogether it is an excellent example of what a live local historical society may do.

C. H. HULL.

*Acquisition of Oregon and the Long Suppressed Evidence about Marcus Whitman.* In two volumes. By Principal WILLIAM I. MARSHALL of Chicago. (Seattle: Lowman and Hanford Company. 1911. Pp. 450; 368.)

THE publication of Marshall's *Acquisition of Oregon* marks an epoch in the Whitman controversy and brings to culmination the available evidence upon each side of the question: "Did Marcus Whitman save Oregon?" Students of Pacific northwest history are familiar with the discussions upon this mooted point extending over a period of twenty-five years and closing only with the death of the two principal participants—Myron Eells in 1906 and William I. Marshall in 1907. By noteworthy coincidence each of these writers left an unpublished work summing up his side of the controversy. In Eells's *Marcus Whitman, Pathfinder and Patriot* (Seattle, Harriman, 1909) was published the ablest defense of the pro-Whitman side. The work under review sets forth more fully and emphatically than any previous work the negative side.

To the preparation of this work the author devoted the leisure hours of a lifetime. As a lecturer upon topics relating to the West, Mr. Marshall became interested in Whitman in 1877. Believing with Dr. Mowry, who first told him the story, that Whitman was influential in saving Oregon to the Union, he journeyed to Oregon in 1882, hoping to find conclusive evidence which would justify him in proclaiming Whitman as a great, neglected patriot. Failing here as in the East to find such evidence, he began to doubt the correctness of the claim made for Whitman. In 1887, he made a careful examination of the extensive correspondence between Whitman and his associates and the American Board of Commissioners for Foreign Missions. He here found, in the archives of the American Board, evidence which convinced him that Whitman's journey to the states in 1842-1843 was purely on missionary business and that as a man Whitman had been greatly overrated. He became further convinced that this evidence had been purposely kept in the background and that a definite effort was being made to extend a belief in the indebtedness of the United States to Whitman and the members of the Oregon Mission of the American Board. As a school-principal Mr. Marshall began an active campaign to secure a revision of history textbooks that would remove from them the extravagant claims there made for Whitman. Antagonized by parties personally interested in the glorification of Whitman and aroused by the apathy of certain historical writers and publishers, he maintained a diligent search for all possible evidence bearing upon the question. As a result of exhaustive research and unflagging zeal, he completed shortly before his death the present work aiming to prove the unimportance of Whitman's career in respect to influence upon the political destiny of Oregon.

As to scope, the *Acquisition of Oregon* covers the time from the



earliest discoveries down to the treaty of 1846. Special attention, however, is given to the period of joint occupation. An informing chapter is devoted to the development of the first transcontinental wagon-road, revealing a most intimate familiarity with the geography of the Rocky Mountains but omitting a much needed map. Perhaps the most valuable chapter of the book is the one which relates to the attitude, information, and action of the United States government in regard to the Old Oregon Territory. Of particular interest to the special student are the documentary sources reproduced, many of them difficult of access and a considerable number, notably letters of Marcus Whitman, never before published.

As to style, the work is marred by a polemical tone which detracts from the weight which the author's knowledge and essential fairness should carry. Foot-notes are lacking but textual citations are abundant. An unusually full index is provided.

The following typographical errors are to be noted: in volume I., page 70, *Missionary Herald* is made to read *Missouri Herald*—a mistake repeated on page 80. The name of Professor Schafer, volume I., page 97, appears as "Shafer". The first paragraph of the introduction calls for an appendix which has been omitted without explanatory footnote.

The posthumous publication of this work is due to Mr. Clarence B. Bagley of Seattle. Although belated until the controversy has in the main subsided, it constitutes a most important addition to the Whitman literature. The author has probably underestimated the character of Whitman but he has furnished ample proof of the contention that Whitman did not save Oregon.

CHARLES W. SMITH.

*A Journey from Prince of Wales's Fort in Hudson's Bay to the Northern Ocean, in the Years 1769, 1770, 1771, and 1772.* By SAMUEL HEARNE. New edition, with introduction, notes, and illustrations, by J. B. TYRRELL, M.A. (Toronto: The Champlain Society. 1911. Pp. xiv, 437.)

It is gratifying to record the reproduction of this almost classic work of travel in such a creditable form, with its welcome illustrative wealth of additional maps, notes, and photogravures.

A Hudson Bay factor, Hearne's journey, in part commercial, was ordered by that company to ascertain the resources of the country, its facilities for trade, the extent of copper deposits, and the possibility of a northwest passage. Two failures, herein recorded, only urged Hearne to his final success.

The third time, starting December 7, 1770, from Fort Prince of Wales, with Chipewyans under Chief Matonabee, the party was soon in an unknown country. Living precariously on game, they were soon

reduced to distress by failing supplies, and for three days, including Christmas as is ruefully remarked, they were without any food, while dragging heavy loads and subjected to extreme cold.

Occasionally obtaining game, and savage-like alternately feasting and fasting, they reached, on April 8, 1771, a lake in 61° N., 107° W., where in ten days ample fish and meat were secured. Going due north they made at Clinton-Golden Lake their arrangements for the final journey. Leaving inactive members in camp, with a large band of northern Indians taking the war-path, they moved northwards on May 31. Meeting a party of Copper Indians at Antessy River, they there tarried for rest and game from June 22 to July 2. Reaching and crossing the Coppermine twelve days later, they followed the river northward and on the 17th of July, despite Hearne's remonstrances, massacred many peaceful Eskimo. Before returning southward, Hearne was able to roughly survey the Coppermine to its mouth on July 18, 1771. A visit to the so-called mine disclosed native copper in small quantities only.

The physical hardships of Hearne were excruciating, for he says of his festered, swollen legs and feet that the hard travel "irritated the raw parts so much that for a whole day I left the print of my feet in blood almost every step I took".

His return journey entailed a long detour, via Great Slave Lake, and the passing of a second winter of hardship and semi-starvation with his wandering band of Indians. The journeys of two thousand miles or more entailed absence for nearly nineteen months, under conditions of discomfort, hardships, and danger incident to a roaming life with intractable savages in the barren lands and adjacent regions.

By this remarkable journey Hearne added some 30,000 square miles to the known area of Hudson Bay Territory, disproved the myth of a western passage, and reached the northern ocean—the first point on the coast of North America. Of unusual value is his contribution of a wonderful fund of definite knowledge regarding the fauna and flora of the country, and especially his clear and graphic description of the northern Indians—the best original extant account of their characteristics, customs, and methods of life.

The interesting notes of Mr. J. B. Tyrrell on geography, and of Mr. E. A. Preble on biology, elucidate unobtrusively the text of Hearne.

It is surprising that so well-edited a volume should be defective in its bibliography. The author may not have considered as pertinent the voyages of Chappell and McKeever to Hudson Bay, but for comparison the ethnographic notes are certainly valuable in the English works of Ballantyne and McLean, Hudson Bay factors, as also Delessert's *Les Indiens de la Baie d'Hudson* (Paris, 1861). Especially unfortunate is the omission of the following editions of Hearne: French, Paris, 1798; Dutch, two volumes, Hague, 1798; and German, Berlin, Voss, 1794; Renger, 1796, 1798. Such blemishes are however of slight import.

A. W. GREELY.

## MINOR NOTICES

*Annual Report of the American Historical Association for the Year 1909* (Washington, Government Printing Office, 1911, pp. 812). Besides records of the proceedings of the twenty-fifth annual meeting of the Association, held at New York in December, 1909, of its various conferences, and of the sixth annual meeting of the Pacific Coast Branch, this volume contains one substantive paper in ancient history, by Dr. Albert T. Olmstead, on Western Asia in the Reign of Sennacherib of Assyria, a discourse on the Teaching of Medieval Archaeology, by M. Camille Enlart of the Musée du Trocadéro, a paper on Paradoxes of Gladstone's Popularity, by Mr. Edward Porritt, an excellent presentation of the results of criticism of Bismarck's *Erinnerungen und Gedanken*, under the title Bismarck as an Historiographer, by Professor Guy S. Ford, and three special studies in Western history: by Professor Julian P. Bretz, on Some Aspects of Postal Extension in the West, by Professor Frank H. Hodder, Sidelights on the Missouri Compromise, and by Professor Edmond S. Meany, on the Towns of the Pacific Northwest, and on M. M. McCarver. The interesting papers by Professor Julius Goebel, on the Place of the German Element in American History, and of Dr. H. T. Colenbrander and Miss Ruth Putnam, on the Dutch Element, are also printed; likewise the full and informing statements of Professors George W. Prothero, Colenbrander, Enlart, and Altamira, on the organization and work of the historical societies of Great Britain, the Netherlands, France, and Spain respectively. The Public Archives Commission presents a report on the archives of the state of Illinois, by Professor Clarence W. Alvord and Mr. T. C. Pease, and another on the archives of New Mexico, by Professor J. H. Vaughan. Two novel features of the volume are the proceedings of the first annual conference of archivists, an instructive and useful exchange of experience, with especial emphasis on the lessons to be derived from the management of European archives, and Miss Grace G. Griffin's annual bibliography, *Writings on American History, 1909*. The latter has hitherto been maintained as a separate publication but from now on is to be incorporated as an element in the Annual Reports of the Association. The presence of an unusual group of representatives of European historical culture, invited to New York upon occasion of the Association's twenty-fifth anniversary, gave a distinct flavor to its proceedings, which is reflected in the volume.

*The Imperial Civil Service of Rome*. By H. Mattingly, M.A. [Cambridge Historical Essays, no. XVIII.] (Cambridge, University Press, 1910, pp. x, 159.) In the preparation of this study Mr. Mattingly has used all the best secondary sources and shows a reliable and thorough knowledge of the inscriptional evidence. The introduction gives a general survey of the important sources of revenue under the Empire and

the system of financial administration. This is followed by three chapters upon the civil service. The first deals with the origin, growth, and development of this service. The close relation and overlapping of the military and civil career of the equestrian class compel the writer to discuss at some length the military service of the knights as well as the civil. Chapters 2 and 3 are given over to the discussion of the provinces and the procuratorial system.

Mr. Mattingly adds little that is new to the work already done upon this field by German authorities, notably Mommsen, Hirschfeld, and von Domaszewski. Yet the book has a distinct value as an introduction to a more technical study of the subject and leads one to look for more original work from Mr. Mattingly upon Roman imperial administration. In dealing with the many controversial points which arise the author is an eclectic, choosing that view which best appeals to his judgment. Upon one point he subscribes to two distinctly opposed views. Upon page 66, note 4, he adopts Domaszewski's opinion that the "*tribunus sexmenstris*" is a staff officer of the cavalry upon half pay. Later (p. 71) he follows Mommsen's explanation that this officer was an ordinary tribune, for whom, by special privilege, the twelve months' service was cut to six.

In another point the eclectic method has not produced a happy result. In dealing with the origin of the *fiscus* Mr. Mattingly adopts Mommsen's conclusion (Hirschfeld *contra*) that the *fiscus* was regarded "in the strictly legal point of view" as the private property of the emperor. But he follows Hirschfeld (Mommsen *contra*) in believing that the *fiscus* was not established as a chest distinct from the *patrimonium* until the time of Claudius. The difficulties are not at all clarified by the compromise or by the author's arguments.

It is apparent that Rostowzew's *Studien zur Geschichte des Römischen Kolonates* had not yet appeared when Mr. Mattingly was working upon this study. Had it been before him he would not have made the statement (p. 35) that no substantial reforms can be attributed to Vespasian. For Rostowzew, with a fair degree of certainty, has assigned to the financial and executive ability of Vespasian the important work of systematizing the administration of the imperial domains and their revenue in Africa.

W. L. WESTERMANN.

*Medieval Europe.* By H. W. C. Davis, M.A. [Home University Library of Modern Knowledge, no. 13.] (New York, Henry Holt and Company; London, Williams and Norgate, 1911, pp. 254.) The series in which this book appears aims to give the educated general reader a brief survey of the whole field of modern knowledge, the historical subjects treated not occupying a particularly prominent place. The editors have been fortunate in securing Mr. Davis to deal with medieval history. In the very brief space allowed him he has given a thoughtful

and sometimes illuminating discussion of the chief movements and institutions of the period. The introductory chapter characterizes the Middle Ages as a distinct period, "a moment of equilibrium when . . . the minds of men are filled with ideas which they find completely satisfying: when the statesman, the artist, and the poet . . . express in deed and work and language the aspirations common to the whole society". If the subsequent treatment does not wholly justify this thesis something must be allowed for the brevity of the book. The best chapters are those dealing with the Church, in which justice is done to its ideals and its contributions to European civilization. The section on the towns and that on the State are not so satisfactory, and medieval commerce is quite neglected. While full of suggestion, the book shares the usual fault of all such condensed surveys in making sweeping statements that require considerable qualification.

A. C. H.

*The Story of Iona.* By the Reverend Edward Craig Trenholme, M.A. (Edinburgh, David Douglas, 1909, pp. xv, 173.) Mr. Trenholme's book is intended less for the historical expert than for the general reader. To the latter it may be heartily recommended as displaying a most interesting vertical section, so to speak, in the religious history of Britain. At the same time students will find in it a useful compilation of the main facts about the history of Iona and—what would perhaps be harder to find elsewhere—a careful description, accompanied by excellent maps and photographs, of its topography and of its architectural antiquities. The narrative outline is unsystematic and far from complete, the last two centuries, for example, being very scantily treated. But representative persons and episodes of different periods are discussed, and the relation of the island to the significant changes in British affairs is made clear.

In view of the author's manifest purpose it is hardly appropriate to dog his heels with detailed criticism and to take issue with the opinions he expresses on various matters of dispute. In the early chapters, particularly, he deals with many subjects concerning which he hardly appears to have expert knowledge: and sometimes, as in his account of the relations between the Gaelic and Cymric languages (p. 18), he has not correctly understood his secondary sources of information. Sometimes, as in his statement that there is no evidence for human sacrifice in ancient Ireland (p. ii), he follows good authorities but is nevertheless probably wrong. Exception might be taken to his account of the earliest inhabitants of Iona and of the Aryan migrations, of the age of Stonehenge, of the religion of the pagan Celts, or of various other matters. But on the whole he has produced a trustworthy version of the traditional history of the island, and he has told it sympathetically and effectively.

*Essai sur les Origines et la Fondation du Duché de Normandie.* Par Henri Prentout. Professeur d'Histoire de Normandie à l'Université de Caen. (Paris, Honoré Champion, 1911, pp. 294.) This small volume owes its publication to the millennial anniversary of the foundation of the duchy of Normandy, so appropriately celebrated at Rouen last June. Originally delivered as lectures at the University of Caen, its chapters retain something of the informality and discursiveness of the classroom, but they have been given more permanent form by the addition of notes and brief appendixes, and the whole constitutes an excellent introduction to early Norman history. A brief account of the early inhabitants and of the Roman domination which fixed the civil and ecclesiastical limits of what was to be Normandy is followed by a careful study of the vexed and relatively unimportant question of the Saxon settlements and a sketch of the little known but highly significant period of Frankish rule. Before taking up the permanent establishment of the Northmen in the duchy, the author finds it necessary to consider in some detail the trustworthiness of our chief authority for early Norman history, the account of the first four dukes written about 1015 by Dudo of St. Quentin, a work so vitiated by credulity and extravagant laudation of the ducal house that M. Prentout reduces it to the rank of a non-contemporary political pamphlet. He accordingly rejects Steenstrup's view of the Danish origin of Rollo, a view which depends essentially upon the acceptance of Dudo's statements, and follows the saga in making him of Norwegian descent. He admits, however, what is the important fact, that Rollo's followers included both Danes and Norwegians, as well as in all probability Swedes, although it would be idle to seek to determine the proportion of each. Moreover, the conquest and the establishment of the Northmen were spread over a considerable period, for the Bessin and the Cotentin were not acquired until several years after 911 and invaders and settlers from the north continued to come throughout the eleventh century. In dealing with this epoch of settlement and organization M. Prentout wisely refuses to think in rigid categories: while Normandy may have originally been a mark, it may be looked at from one point of view as a Scandinavian colony and from another as a Frankish fief, and its rulers used the titles of count, duke, prince, and margrave, interchangeably and without any precise meaning. He is cautious respecting the extent of the new element added to the population; and while emphasizing the remarkable assimilative power of the Northmen, he restricts the ultimate Scandinavian contribution to place-names and maritime terms and to the spirit of enterprise which the Normans showed throughout the Middle Ages and in the discoveries and explorations of the fifteenth and sixteenth centuries.

The book is sane and critical throughout, and in the midst of a mass of doubtful evidence and conflicting opinion the author shows the prudence of the Norman as well as the caution of the historian.

CHARLES H. HASKINS.

*The King's Serjeants and Officers of State, with their Coronation Services.* By J. Horace Round, M.A., LL.D. (London, James Nisbet and Company, Ltd., 1911, pp. xviii, 416.) The eight authoritative pages on serjeanty in *The History of English Law* have admittedly left something to be said on the subject, and a ready welcome is accorded to Mr. Round's latest work. Yet one soon finds that this is not a consistent treatise on serjeanty. One of its contributions is a proof that the great offices of state were not territorial serjeanties, but offices in gross. Their inclusion together with all the coronation services, whether or not strictly serjeanty, necessitated the excision of much material prepared by the author on serjeanties proper. The result is a book hard to classify. It contains much of value on serjeanty in general (pp. 1-51) and the great state offices (pp. 52-92), a deal of detail on sundry obscure serjeanties, and, throughout, an infinity of genealogical minutiae. Indeed, following closely upon his *Peerage and Pedigree*, this is regrettably another evidence that history is losing Mr. Round to genealogy. Since the book appeared too late to be used by the Court of Claims for the recent coronation, and since it is to be hopefully expected that there will not be another coronation for many years, one deplores the labor spent by so acute a researcher in antiquarian oddities and family lore; and, though warned in the preface that this is "more than a matter of 'jocular tenures' or of merely curious interest", the reader is vexed to find how often he is reminded of Scott's Baron of Bradwardine and his "servitium exuendi, seu detrahendi, caligas regis post battaliam".

Mr. Round's polemics are again prominent. The errors of many who have essayed work in this field are mercilessly exhibited and the devoted editor of the *Red Book* is pursued with a rancor which subserves no scholarly end. Indeed, eagerness to overthrow standard authority occasionally blinds the author to the weakness of his new contentions—for example, his argument (pp. 38-40), in opposition to Maitland, against the early impartibility of lands held in serjeanty. In the passages cited, the principle was manifestly present, and it proves nothing to show instances in which it was not wholly observed. And to adduce finally cases from the fourteenth and fifteenth centuries is beside the point; *The History of English Law* speaks of *early* impartibility. It is surprising to find (p. 36) that the distinction between greater and lesser barons may have originated in Magna Carta. The suggestion is obviously to support the argument that the cleavage between grand and petty serjeanty indicated by Article 37 of the Charter was novel. It is also a strange implication that because this latter distinction was rough it was therefore recent. The parallel and immediately preceding clause touching the socage tenures is unmentioned by Mr. Round who would prove that any assimilation of petty serjeanty to socage was late. The English birth or pre-Conquest domicile of the Domesday *taini* seems insufficiently argued (p. 13). Some foreign names appear among the *taini* of at least ten counties, and borne by men who did not hold the land under King Edward.

ALBERT BEEBE WHITE.



*Fratris Rogeri Bacon Compendium Studii Theologiae.* Edidit H. Rashdall, una cum appendice de Operibus Rogeri Bacon, edita per A. G. Little. [British Society of Franciscan Studies, vol. III.] (Aberdeen. "Typis Academicis", 1911, pp. vi, 118.) The valuable series of publications issued under the auspices of the British Society of Franciscan Studies has received an important addition in the present volume. The treatise here printed is found in Royal MS. 7 F. VII. in the British Museum, a folio vellum manuscript, written at the end of the thirteenth century. It is a fragment of an uncompleted work of which other fragments survive. From the work itself it is clear that it was written in A. D. 1292. The treatise is divided into two parts, the first of which deals with the causes of human error, the second with the establishment of truth and the refutation of error. Perhaps its chief interest and importance lies in the fact that very little of the substance of this *opusculum* is to be found in Bacon's hitherto published writings; and that unlike these, it is almost entirely occupied with the discussion of points of scholastic logic and metaphysics, rather than with contributions to natural science or with general reflections on the existing state of knowledge and the methods of pursuing it.

The editor, Dr. Hastings Rashdall of New College, Oxford, who is well known for his history of the *Universities of Europe in the Middle Ages*, has endeavored, as far as possible, to give references to the places in Aristotle and other authors quoted by Bacon—a task of no small difficulty. He has also illustrated the text of Bacon's treatise by useful notes and has prefaced it by a well-considered and informing introduction which sets the work in its proper perspective, literary and historical.

The value of the present volume is greatly enhanced by the appendix, which contains a list of Roger Bacon's works by Professor A. C. Little. This bibliography is based on the one given in Little's *Grey Friars in Oxford*, but has been brought up to date by the light of more recent researches and is a distinct asset. Taken as a whole, the volume before us is a most welcome and worthy contribution to the study of the writings of the great English Franciscans.

*Die Ausgaben der Apostolischen Kammer unter Johann XXII., nebst den Jahresbilanzen von 1316–1375.* Mit darstellender Einleitung herausgegeben von K. H. Schäfer. [Vatikanische Quellen zur Geschichte der Päpstlichen Hof- und Finanzverwaltung, 1316–1378, in Verbindung mit ihrem Historischen Institut in Rom herausgegeben von der Görres-Gesellschaft, II. Band.] (Paderborn, Ferdinand Schöningh, 1911, pp. xi, 151, 911.) As the work of publishing the financial registers of the Avignonese papacy undertaken by the Görres-Gesellschaft progresses, its value becomes more and more apparent. Despite the appearance in the last quarter of a century of numerous monographs and papers based mainly on researches in these records, only a slight portion of the material which these contain has been utilized. The present volume is a

vast storehouse of material on a wide variety of subjects. The documents consist of those portions of the registers which give a summary view of the annual income and expenditure of the papal treasury during the period from 1316 to 1375 and the detailed accounts of the expenditures during the pontificate of John XXII. They throw light not only on the organization of the household and administrative system of the papacy, its political and diplomatic relations, and other phases of its many-sided activities, but also on prices, wages, banking, art, architecture, libraries, military history, and numerous aspects of the intellectual, economic, and social life of the period. The work of editing seems to be well done. There is a full index of proper names and a valuable special index of offices and officials of the papal household.

Mr. Schäfer limits his introduction mainly to a narrow but most useful field. After explaining briefly the nature of the documents and his editorial methods, he gives a tabular view of the annual income and expenditure of the papal treasury during the period of the residence at Avignon and the annual itemized expenditure during the pontificate of John XXII, calculated uniformly in the terms of the Florentine gold florin. It is to be hoped that this will set at rest the controversy about the avarice of the popes of this period. The second and principal contribution is an extensive study of the comparative values of the coins most commonly current in western Europe from the latter part of the thirteenth century to the early part of the fifteenth. A brief discussion of the value of different coins in relation to the precious metals is followed by a long series of tables displaying the actual exchange value of numerous coins. The date of the exchange and the source of information are given in every instance. The study is completed by an appendix of documents relating to exchange drawn from the Vatican Archives and a set of summary tables which display the value of the Florentine gold florin in terms of other coinages at various dates from 1252 to 1375. No set of medieval financial documents offers such excellent opportunities for comparison as this of the papal treasury which received money from every part of the Roman Catholic world. Judging by the several items which the reviewer was able to test, the author has made good use of this opportunity, and has performed the laborious task thoroughly and carefully. From those who have wandered in the nearly trackless wilderness of medieval financial accounts this part of the work can scarcely fail to receive high appreciation.

W. E. LUNT.

*The First English Life of King Henry the Fifth*, written in 1513 by an anonymous author known commonly as the Translator of Livius. Edited by Charles Lethbridge Kingsford, M.A., St. John's College. (Oxford, Clarendon Press, 1911, pp. lvi, 212.) Mr. Kingsford has made a valuable and interesting contribution to the original literature of English history by editing this first English life of Henry V. from a

manuscript (Bodley MS. 966) to which his attention was drawn by Bodley's scholarly librarian, Mr. F. Madan. In addition to the printed text of the *Life*, with copious annotations, the present volume contains a portrait of Henry V., a valuable critical introduction of fifty-six pages, a table of variations from the Bodleian manuscript found in a later copy of the *Life* in the British Museum (Harley MS. 35), a glossary of Old English words, and an excellent index. The editing has been done with Mr. Kingsford's usual skill and thoroughness and the work has distinct claims to literary, as well as to historical, recognition.

The *Life* itself is a compilation rather than an original production in that it is in large part a translation of the already well-known Latin work, *Titi Livii Foro-Julienſis Vita Henrici Quinti regis Angliae*, written soon after 1437 by an Italian-English scholar, with considerable additions in the form of translations from the chronicle of Enguerrand de Monstrelet and from Caxton's *Polichronicon*, and excerpts from a life of Henry V., now lost, written about the middle of the fifteenth century by someone in the service of James Butler, fourth earl of Ormonde. The compiler of the present *Life* seems to have flourished at the beginning of Henry VIII.'s reign and to have written his work for the instruction and delectation of the young king, then engaged in a war with the French. As an example of early sixteenth-century prose, and as reflecting the attitude of Tudor England toward the Lancastrian royal house and its exploits, the *Life* has especial interest. It was well known to such prominent later sixteenth-century historical writers as Stow and Holinshed, but was lost sight of in the seventeenth and eighteenth centuries, and its very existence doubted in the nineteenth century.

The positive contributions to knowledge made by this *Life* are contained in certain passages drawn from the Ormonde life of Henry V. "since", as Mr. Kingsford says, "they alone contain matter which is not preserved elsewhere". These new facts throw fresh light on the character of Henry V. and are well discussed in the scholarly introduction.

N. M. TRENHOLME.

*Six Town Chronicles of England*. Edited from Manuscripts in the Bodleian Library, the Library of St. John's College, Oxford, the Library of Trinity College, Dublin, and the Library of the Marquis of Bath at Longleat. Now printed for the first time with an introduction and notes by Ralph Flenley, M.A., B.Litt. (Oxford, Clarendon Press, 1911. pp. 208.) The title of Mr. Flenley's book is no real indication of what it contains. The printing of six interesting, but comparatively unimportant, little town chronicles, five relating to the city of London and one to the borough of Lynn, has been made the occasion for a discussion of the whole question of English town chronicles, forming section one of the Introduction, and of special descriptions and discussions of extant manuscripts, together with a useful list of all the chronicles of London that

are known to exist. These two sections, with the bibliography referred to, take up one-half of the volume and make valuable and interesting reading for the student of English municipal history. Nowhere else, so far as the reviewer is aware, can be found so clear and detailed an account of the efforts to write history made by citizens of London and of a few of the other large towns. The first group dealt with is that of the early and generally anonymous writers of thirteenth- and fourteenth-century chronicles of London. They wrote in Latin and their works, as far as they are known, have been published by the Camden Society and in the Rolls Series. Next come the fifteenth-century chronicles and chroniclers relating London affairs and the history of the time from a London standpoint. Of these there are twenty manuscripts known to exist and, with Mr. Flenley's volume, all but two of these have been published. The third division of part one has a valuable account of chronicles of English towns other than London, while the concluding division discusses the sixteenth-century writers of London chronicles, from Fabyan to Stow, and the end of the chronicles of the metropolis with the expansion of historical writing.

The second part of the Introduction, dealing with the chronicles contained or described in this volume, consists of a series of brief critical introductions to the various manuscripts examined by Mr. Flenley. It would appear that of the chronicles printed in the last part of the volume, that of the London merchant Robert Bale was the most important by far. It is in English and covers the years 1437-1460 from the London standpoint. Like practically all surviving chronicles of London it seems to be based on an earlier work, probably in Latin, which has disappeared. Bale's Chronicle was evidently written in Edward IV.'s reign but practically nothing is known of the author save his name. The manuscript itself had an interesting history which Mr. Flenley brings out. The other chronicles are of minor importance with the exception of the Lynn Chronicle (MS. Western 30,745) which furnishes an early and unique example of an extra-London town chronicle. Mr. Flenley has performed his editorial work in a careful and scholarly manner and we hope we will have more such work from him. There is also an adequate index to the volume and the press-work is excellent.

N. M. TRENHOLME.

*The Life and Letters of Martin Luther.* By Preserved Smith, Ph.D. (Boston and New York, Houghton Mifflin Company, 1911, pp. xvi, 490.) This admirable biography by the son of the well-known Old Testament scholar, Henry Preserved Smith, is to be commended for both its fairness and its accuracy. Its author has studied his subject faithfully and has drawn upon the best and most important sources for a knowledge of the Reformer's career. It is a commentary upon the zeal with which the libraries of Europe have long been ransacked for Luther documents that he is unable, though he has made diligent search, to supply any

important material not already known. But he has utilized the most recent literature upon the subject and his work is fully up to date and well meets the demands of modern historical scholarship. So many-sided a man as Luther may be approached from various angles and every serious and honest study of him is to be heartily welcomed. Too little is known of the great German on this side the sea and anything that helps to make him better understood among us is well worth while.

The story of his career is told in this book in a very matter-of-fact tone, and though the author is a sympathetic admirer there is little of the glow which might be expected to accompany the recording of such a life. If this be a defect, at any rate the consequence is a straightforward biography which carries conviction by its very moderation. The author has undertaken to present the Reformer rather as a great character than as a great theologian and the result is a book which should be of interest to others besides theological scholars. The large quotations from Luther's letters, a body of correspondence almost unequalled in extent and in genuine human interest, are of great value and aid in making the portrait vivid and lifelike. Diligent use too has been made of the *Table Talk*, that interesting but confused and often incoherent mass of material, upon which Dr. Smith published an excellent doctor's thesis some years ago.

The bibliography at the end of the volume will prove of undoubted value to students. The whole book indeed is capitally adapted to their needs, while many of the quotations from Luther himself and the entertaining way in which some of the scenes of his life are recounted, as for instance, the interview with the papal legate Vergerio, where the dialogue form is employed, make it the reverse of dull and heavy. The effort to write an interesting biography which may appeal to the general public, and at the same time to meet the wants of professional scholars has resulted, to be sure, in some unevenness and lack of unity; at times the narrative halts unduly. But taken as a whole the book is both instructive and readable, and constitutes an uncommonly substantial and worthy addition to the enormous mass of Luther literature.

A. C. McGIFFERT.

*Inventaire des Archives Farnésiennes de Naples au Point de Vue de l'Histoire des Pays-Bas Catholiques.* Publié par Alfred Cauchie, Professeur à l'Université de Louvain, et Léon Van der Essen, Chargé de Cours à l'Université de Louvain. (Brussels, Kiessling et Cie, 1911, pp. ccxxvi, 557.) This admirable work, the product of so many years of research by such well-known historical scholars, needs only to be mentioned to be appreciated by historians interested in the subject. The introduction (pp. vi-liv) gives a history of the archives, of which even the minute documentation does not destroy the romance. Pages lxx to ccx discuss the value of the archives from various points of view, avoiding all dogmatic assertion and furnishing the fullest illustrations

from which the investigator can make his own judgments. The introduction also discusses the organization of the archives, their diplomatic character, their completeness, their utilization by historians, and the methods of the authors. It is somewhat unfortunate that much of the introduction was evidently written before the completion of the work and was not thoroughly revised (compare p. lxvii, p. ccxxv, and pp. 411-428).

The inventory itself (pp. 1-474) lists 2,068 numbers, many of which consist of many letters or other pieces. The number of individual documents is not even estimated, though it would seem that something could have been done in this direction. The inventory proper is divided into three sections, documents not autograph, autograph, and parchment. It is well and sensibly done. Some documents are carefully described, some mentioned, and the majority grouped, but the diplomatic character of all, as originals, minutes, copies, ciphers, etc., is indicated. The fourth section, Addenda, is the result of the fact that only on second thoughts did it seem necessary to the authors to examine thoroughly the collections listed under such titles as "Londra", "Francia", for incidental material. With this addition it may be presumed that all material relating to the Catholic Low Countries is listed. Pages 475 to 530 constitute an index seemingly complete, and more analytical than is usually the case with European publications. Pages 531 to 533 contain additions and corrections, and a table of contents follows.

CARL RUSSELL FISH.

*Anglo-Dutch Rivalry during the First Half of the Seventeenth Century.* Being the Ford Lectures delivered at Oxford in 1910 by the Rev. George Edmundson, M.A., F.R.G.S., F.R.Hist.S. (Oxford, Clarendon Press, 1911, pp. 176.) This subject is one which has long deserved treatment from the English side. Mr. Edmundson has done his task thoroughly, conscientiously, and with the use of all the available material. He is quite at home in this field of history and well qualified for the task he has undertaken. The book is scholarly and useful, and all its conclusions are sustained by the evidence. It is plain after reading these lectures that war between England and the Netherlands was certain in the seventeenth century as a consequence of their conflicting commercial interests and the differing pretensions of the two peoples to the use of the fisheries in the so-called British Seas.

The writer is annoyingly inaccurate in small matters. On page 48 he tells us that the Merchant Adventurers were driven from the Netherlands by Alva in 1568, while on page 167 he says that they left Antwerp in 1564, and on page 70 that they were driven from Antwerp in 1582. Again he asserts on page 147 that they were banished from Germany in 1577, while on page 49 this event is placed in 1597. How does he reconcile these dates? On page 63 he misdates the battle of the White Hill. On page 125 he gives Sommelsdijk's letter of February 10, 1640,

as being of February 8, 1646, and his letter of January 26, 1640 as being of February 10. On page 117 "jus electorale alternetur" must certainly mean "the electoral right should alternate", and not "the electoral law should be altered". There are a number of other slight errors of a similar character. These things seem to show undue haste or carelessness.

RALPH C. H. CATTERALL.

*In Defence of the Regalia, 1651-2, being Selections from the Family Papers of the Ogilvies of Barras.* Edited by Rev. Douglas Gordon Barron, M.A., F.S.A.Scot. (London and New York, Longmans, Green, and Company, 1910, pp. xvi, 371.) On the first day of January, 1651, the regalia of Scotland, the crown, sceptre, sword and belt of state, were last used in the coronation of Charles II. at Scone. Before setting out on the invasion of England in July, these valuable possessions were dispatched to one of the strongest fortresses in Scotland, Dunnottar Castle, near Stonehaven on the coast south of Aberdeen, together with the king's private papers, his household effects, the General Assembly records, the principal muniments of the Hamiltons, the charters of St. Andrews University, and other valuables; the whole entrusted to the Earl Marischal who chose his friend, George Ogilvy, as his lieutenant and gave him command of the castle. Thereafter Worcester was fought and lost, the Earl Marischal captured, and Dunnottar invested by General Overton's forces in November. Appeals to the fugitive king on the Continent evoking no relief, the Earl Marischal going over to the English side, the belated efforts of Charles to save the place bringing no substantial results, after eight months' brave defense, the arrival of heavy artillery compelled Ogilvy to surrender the castle and the thirty-five men who remained of his original garrison of less than seventy. But the Parliamentarians never found the regalia. These had been smuggled out during the siege and concealed in Kinneff church where they remained until the Restoration. With the king's return all parties to the matter sought their rewards, and one of the most romantic events of the Civil Wars became the basis of an almost incredibly acrimonious and long-lived dispute, chiefly between the houses of Marischal and Ogilvy. Fifty years after the event it was still bitterly contested before the Privy Council. In 1829 the Bannatyne Club published its *Papers relative to the Regalia of Scotland*; as late as 1896 the Scottish Historical Society printed *Papers relating to the Preservation of the Honours of Scotland*, from the muniments of Lord Kintore; in 1906 a novel, *The Safety of the Honours*, appeared, based on information derived chiefly from documents relating to the Marischal family; in 1907 the *Scottish Historical Review* printed the "Information for the Earl of Kintore against Sir William Ogilvie of Barras and David Ogilvie his Son", prepared for the action of 1702; and now comes this large and handsome volume of selections from the family papers of the Ogilvies of Barras, presenting their side



of the case fully and with unusual impartiality. Edited with eighty pages of interesting and scholarly introduction: notes on the long list of documents adduced; a genealogy of the Ogilvies of Barras; beautifully printed and illustrated, it not merely adds much to the discussion of this long vexed question, it reveals controversial antiquarianism at its best, and while it may not settle all the minute points in the dispute, it adds as much to the illumination as to the spirit of the controversy.

. W. C. A.

*The End of the Irish Parliament.* By Joseph R. Fisher. (London, Edward Arnold; New York, Longmans, Green, and Company, 1911, pp. xii, 316.) This work presents a detailed picture of Irish parliamentary politics from Townshend's viceroyalty (1767) to the Union. Local and industrial conditions do not appear save in brief generalizations, or in a few quotations from contemporary observers. In addition to the documents in the Record Office and to the volumes of the Historical Manuscripts Commission, Mr. Fisher is indebted to the unpublished papers of George, earl Macartney, secretary to Lord Townshend, for valuable and secret letters of the period. Also he has examined secondary authorities "by hundreds", and yet the result has been hardly more than corroborative of sources previously used. Indeed the effort has been simply to "detach and bring into relief the events connected with the 'decline and fall' of the Irish Parliament". There is possibly room for doubt as to the extent and accuracy of the author's work, for, save in occasional instances, he has given few exact citations, writing, "A long series of footnotes is of no assistance to the general reader, and the critical student will have no difficulty in referring to the volumes of correspondence and the other authorities on which my statements are based" (pp. vii-viii). This last assertion is hardly true, for most of the few references given are inadequate. Thus the author quotes Townshend to "one of the Secretaries of State" (p. 32) and gives as his reference "Letter in Record Office dated March 18, 1772". The possible difficulties in verifying such a reference are obvious. Nevertheless, the book will be distinctly serviceable, for its clear presentation of the consecutive incidents and manœuvres of the political game in Ireland, and of the difficulties that led to the Act of Union. Mr. Fisher's presentation emphasizes, even more than earlier historians had done, the wholly impossible relation between the British crown and the Undertakers of the Irish Parliament. It is shown that the Irish Parliament never in any sense represented the Irish people, but rather regarded the great body of the people as public enemies to be held in subjection. A parliamentary oligarchy ruled Ireland in its own interest, dependent on England in times of danger, but otherwise contending for the spoils of office without interference from England. The sessions of the Irish Parliament differed little from the sittings of a corrupt city council. The author defines Irish patriotism as "the right to divide the spoils".

"Many eminently respectable families were interested in . . . thefts and embezzlements" (p. 53). Under Townshend, this so-called patronage was wrested from the Irish Undertakers and vested in the crown. "Improbability and the misappropriation of public funds had for generations been raised to the level of a fine art" (p. 265). British viceroys were forced to continue the system, and since "every majority in the Irish Parliament for a century past had been bought" (p. 296) there was no other method open to Pitt in securing Ireland's consent to the Union. The book is well written, the citations are selected with discrimination, and the story is always interesting.

E. D. ADAMS.

*British Statesmen of the Great War, 1793-1814.* The Ford Lectures for 1911. By J. W. Fortescue. (Oxford, Clarendon Press, 1911, pp. 279.) Mr. Fortescue's book embraces the seven lectures delivered at Oxford as the Ford Lectures of 1911. The author has hitherto devoted himself chiefly to military history, but the present work shows him a man of broad historical reading and keen intellect, independent in viewpoint, defiant of more recent historians, and distinctly royalist in his sympathies. The volume is really a chronological survey of England's rôle in the Great War, with minute examination of the services of British statesmen, all of whom are measured by new standards. The leaders of government in most instances suffer from severe, even aggressive criticism, while for minor statesmen clever excuses and palliatives are found to cover all possible shortcomings. Upon most points the author exultantly takes issue with the best-known modern writers. Lord Rosebery's work is flouted at every point, his statements as to the relative efficiency of the army and navy (under Pitt) are a "travesty of truth", his theories "sheer absurdity". Pitt "throughout his administration, studiously neglected the Army and Navy"; his undertaking to send troops to Holland improperly generalised and with indefinite instructions is characterized as a blunder and the writer adds "in these days a minister who gives such instructions should be driven into ignominy and private life". Here Pitt was unduly sanguine but he was more often at fault for his "inveterate prudence". Undoubtedly the halo that has hitherto surrounded Pitt is considerably diminished and he becomes the rather commonplace minister, industrious, honest, and courageous. Asserting his belief in the superior ability, consistency, and foresight of the statesmen who had the misfortune to carry their anti-democratic principles beyond the epoch of war, the writer avowedly proposes to do tardy justice to the three ministers customarily represented as barriers to progress. The honors of achievement and patriotism are accorded to Perceval, Liverpool, and Castlereagh, whose unshakeable firmness against tremendous odds inspires the author's profound admiration.

Conclusions, throughout, which seem more the result of biased reasoning than of unbiased research, characterize the volume. For example we

read "We know how the Americans—represented by their government—have always dealt with us since they have become an independent state. They must prevail and never give way; they must always take and never concede; they enjoy the flouting of an older community as a proof of their superiority; and they esteem a good bargain, even if gained by dishonorable means, to mark the highest form of ability. The United States cannot engage in any form of competition with us, from athletics to diplomacy, without using foul play. They must win, if not by fair skill, then by prearranged trickery or violence; if not by open negotiation, then by garbled maps and forged documents. There is the fact. It may be unpleasant but it cannot be denied." It is surely a misnomer to call this history and to present it as such to English university students. The writer is fluent and original, pugnacious in his prejudices, a champion of the misinterpreted, bitterly jealous in his brilliant but often unfounded generalizations, and, fortunately, rarely convincing.

E. D. ADAMS.

*Napoleon I.: a Biography.* By August Fournier, Professor of History at the University of Vienna. In two volumes. Translated by Annie Elizabeth Adams, with an introduction by H. A. L. Fisher, M.A. (New York, Henry Holt and Company, 1911, pp. xx, 564; x, 565.) This is the second translation of Fournier's *Napoleon*. The first, completed eight years ago under the editorship of the late Professor E. G. Bourne, and noticed in volume X., pages 412 ff. of the REVIEW, reproduced the original (1885) edition, with such revisions as had appeared in Jaegle's French translation. The present version reproduces the revised edition of 1904-1906. The introduction by H. A. L. Fisher is a perfunctory statement in two paragraphs, without a word upon the editorial principles followed by the present translator. The ten years which elapsed between the publication of the two editions were especially fruitful in important Napoleonic investigations, and it was to embody the results of this work, in which he had had a large share, that Professor Fournier decided to give his volumes careful revision. In many passages the revision has amounted to virtual rewriting. The subject-matter has been increased about one-ninth. The increase is fairly well distributed, but is especially noticeable in the chapters on Napoleon's early career, the problems of which have been investigated with such success by Masson, Biagi, and Chuquet. The chapter on the coup d'état of Brumaire also contains much new material, drawn mainly from the studies by Aulard and Vandal. To cite another case, the history of the negotiations at Chatillon is given fuller treatment in the light of the author's recent work on that subject. The changes made are all of detail and do not affect the conception of Napoleon's character or the interpretation of his career given in the first edition. The bibliographies are particularly valuable because they contain notes and discussions upon many of the books mentioned. In the

appendixes are printed the originals of a large number of letters, some of them hitherto unpublished, which Napoleon wrote to Talleyrand, Champagny, and Maret, and which Professor Fournier found in the archives at Vienna. The work of the translator has been well done, with some notable exceptions. Without offering any explanation she has abbreviated or omitted many of Fournier's notes. It is impossible to discover the guiding principle of these reductions, which mar a work of this character. The translator has even taken liberties with the text in passages which concern Napoleon's relations with women. She has supplemented, while modifying its real meaning, the description of Josephine's conduct from the time of her marriage to Brumaire, inserting pointless comparisons with the character and temperament of Catherine II. and Mary Stuart. If these alterations were made with the author's consent, the fact should have been stated.

B.

*Letters and Papers of Charles, Lord Barham, Admiral of the Red Squadron, 1758-1813.* Edited by Sir John Knox Laughton, M.A., D.Litt. Volume III. [Publications of the Navy Records Society, vol. XXXIX.] (Printed for the Navy Records Society, 1911, pp. xl, 413.) All of the papers in this volume except a few private letters and memoranda belong to the period (1805-1806) when Lord Barham was First Lord of the Admiralty. A more brilliant period than his brief time of administration it would be hard to find. Sir Robert Calder's action off Finisterre, Nelson's great victory at Trafalgar, Sir Richard Strahan's signal success, and Sir John Duckworth's brilliant action near Saint Domingo all give it lustre. As the editor, Sir John Knox Laughton, points out in his excellent introduction, the papers are divided into several categories. First, there is the correspondence with Lord Keith, commander-in-chief in the Narrow and North seas, especially charged with watching the French coast from which Napoleon was threatening invasion. Some of these letters have to do with the schemes of Robert Fulton, who had interested the British government in his projects for sea-mines, torpedoes, and submarines, much to the disgust of Barham and Keith. The second division is made up of the correspondence with the commander-in-chief at Cork, whose main duty was to guard the approaches to the Channel. The third contains the letters interchanged with Gardner or Cornwallis in command off Brest. Among them is the celebrated order sent to Cornwallis to place Sir Robert Calder off Cape Finisterre, resulting in the check given the French fleet which proved most disastrous. In the fourth division is the correspondence with Orde, Nelson, or Collingwood off Cadiz. Rather strangely these papers furnish no information on the battle of Trafalgar, except the plan of battle. This plan, together with other first-hand testimony, has, in the editor's opinion, quite upset the long-received account of the English

advance and attack. One remarkable fact brought out by this volume of papers is that the Admiralty was more concerned about the danger to British trade from the French naval activity than it was about the danger of invasion by Napoleon. Though the period was popularly known as the time of "The Terror", and though historians have so pictured it, the men really responsible for the coast defense were not worried. As Lord St. Vincent put it, "I don't say the French can't come; I say they can't come by sea".

C. H. VAN TYNE.

*L'Acte Additionnel aux Constitutions de l'Empire du 22 Avril 1815.* Par Léon Radiguet. (Caen, L. Jouan; Paris, Marchal et Godde, 1911, pp. xiii, 528.) The points most worthy of study in relation to the *Acte Additionnel*, according to M. Radiguet, are five in number: (1) why Napoleon in 1815 agreed that France should have a constitution which seemed to be permeated with the principles of liberalism; (2) how the Acte was drafted; (3) its principles; (4) how it was received by public opinion; (5) what tendencies were exhibited in its application. The volume is an elaborate and painstaking monograph upon the first four of these points, the fifth being reserved for a future study. Appendixes present texts of the Acte at three different stages in its elaboration, a contemporaneous fusing of the Acte and of the imperial constitutions which it supplemented into a single document, and lists of the votes at the plebiscite of adoption. There is also a preface by Frédéric Masson. The monograph is thoroughly documented in the best French style. It rests upon a large amount of investigation, especially of newspapers, pamphlets, suggestions for a constitution submitted to Napoleon, and reports of the police and the prefects. The most serious omission is that of works upon English history and contemporaneous English affairs. The Acte was formed under the influence of men whose ideal was the English constitution. Consequently, M. Radiguet has much to say about English matters. Yet there is no indication that he has read a single book in English. His ideas of English affairs seem to be drawn exclusively from the constitutional studies of Boutmy and Esmein and their terse generalizations are frequently made the basis of exaggerated inferences. Although *mémoires* are not used extensively, some important points show too implicit a reliance upon them.

M. Radiguet describes his work as an historical and juridical study. The two are not kept perfectly distinct, but three of the four parts are primarily historical. These three, in the opinion of the reviewer, give the monograph its value. The juridical part consists of little more than a statement for many points involved in the Acte of the corresponding arrangement in the constitutions of 1799, 1802, 1804, and 1814, along with the personal dictum of the author as to the wisdom of the scheme. His point of view is that of a discriminating admirer of the Napoleonic

institutions of 1799-1804 and of an adverse critic of the Revolution and of the parliamentary régime.

Upon some points the study will lead to new views, but in general the results are valuable chiefly as confirmation of prevailing views.

FRANK MALOY ANDERSON.

*Bismarck and German Unity.* By Munroe Smith, Professor of Roman Law and Comparative Jurisprudence in Columbia University. (New York, Columbia University Press, 1910, pp. x, 132. Second edition, revised and enlarged.) This epitome, first printed in the New York *Evening Post* and *Nation* when Bismarck died in 1898, was then issued in book form. Its qualities are well known. It is clear, concise, and remarkably accurate: for accuracy is hard to attain where generalizations cannot be qualified. In this second edition, the bibliographical summary has been brought up to date, and a short essay on Bismarck as a Phrase-Maker has been added. We do not note many changes in the author's point of view. The colossal, if not heroic, Bismarck remains: but the outline would have been even more lifelike if the reasonableness of some of the opposition to him had been hinted at. So a line of comment on the result of the *Kulturkampf* and other episodes would be well. We dissent from the statement that Bismarck's policy after 1870 was always fought out within the lines of the constitution, and ended in compromises which preserved at once the interests of the state and the liberties of the citizen (p. 61). The explanation of the rise of the Social Democrats seems also inadequate (p. 66). Pius IX. died February 7 (not January), 1878 (p. 64). Sometimes the edge of Bismarck's sarcasm is blunted in translation: but when all is said, this is the best brief routine account of Bismarck in English.

*B. G. Teubner, 1811-1911: Geschichte der Firma in deren Auftrag.* Herausgegeben von Friedrich Schulze. (Leipzig, 1911, pp. vi, 520.) This book, in giving us the history of the important publishing firm of Teubner in Leipzig, furnishes a running commentary on the intellectual and business development of Germany since 1811. The founder, the son of a Protestant clergyman, was compelled by poverty to begin his career as a typesetter. He soon bought a printing office which he made into one of the largest in Germany. In the early twenties, the ambitious printer began—with the aid of excellent scholars like the Dindorfs—to go into the publishing of Latin and Greek texts for school use. About 1850 he expanded this into the now famous *Bibliotheca Scriptorum Graecorum et Romanorum Teubneriana*. Both series reflect the neo-humanistic movement set in motion by Winckelmann, Goethe, Wolf, Wilhelm von Humboldt, and others, as well as the high standards of textual criticism introduced by Lachmann, Haupt, and their associates. To Teubner, prevented as he had been from satisfying the intellectual ideals traditional in his family, this remained his favorite enterprise. He was, however, too

been a business man not to respond to the "modern" spirit which was beginning to assert itself. The "Young Germans"—of whom Heine is the exponent best known in foreign countries—were, since 1830, insisting—in opposition to the "Romantic School"—that literature must be in close contact with life. Hence Teubner now published many works on modern history, theological criticism, and kindred subjects; also translations from the French, etc., always insisting, however, on issuing only works of dignity and importance.

The ideal of excellence and notably that of enterprise has been carried on since Teubner's death in 1856. Some of the most valuable works on classical philology (like Wölfflin's *Thesaurus*), have continued to appear; in addition there have been issued a great number of works on pure and applied science, and, perhaps more remarkable still, a series of colored lithographs done by leading artists and reflecting the rise of German pictorial art during the last two decades. We learn also of the enormous growth of the plant in all its branches. About two and one-half million volumes are issued every year, not counting the newspapers and periodicals.

The book before us, well written, enriched by many facsimiles and portraits, and excellently printed, further bears witness to Germany's increasing appreciation of aesthetic values.

C. VON KLENZE.

*History of Money in the British Empire and the United States.* By Agnes F. Dodd. (London and New York, Longmans, Green, and Company, 1911, pp. xiv, 356.) This book is divided into two parts: the first, comprising about two-thirds, treats the history of money and banking in the British Empire, and the second treats the history of money and banking in the United States. The treatment of the British Empire outside of the United Kingdom is very brief, covering less than 25 pages.

For the general reader the book possesses value; it describes the chief events in the monetary and banking history of the two countries, and is based for the most part upon a comparatively few reputable secondary authorities. For the historian, however, and the economist the book is negligible. It is in no sense a contribution to the history or science of money and banking. Citations of authorities are infrequent, and, when made, usually merely mention the name of the author without any page reference.

Miss Dodd apparently does not possess a thorough working knowledge of the fundamentals of monetary science, for there are frequent slips in the statement and in the application of elementary principles. For example we read (p. xiii), "Increased rapidity of circulation has the same effect as an increase in the supply of money, and tends to lower prices, because it increases the amount of work that a given quantity of money can perform." Obviously this would raise prices, not lower them. Several times the statement is made that variations of the market ratio



between gold and silver in a bimetallic country result in the withdrawal of the relatively cheaper metal (pp. 60, 131), instead of the relatively dearer one as is actually the case under Gresham's Law.

The book contains many errors of fact among which the following are typical: "After 1751 there was a stable paper currency throughout the New England States" (p. 236). In the chapter entitled Finance during the American War of Independence Miss Dodd says: "In 1783, Morris . . . resigned, and his place was taken by Alexander Hamilton" (p. 251). "In 1857 . . . [the depreciated foreign coins] were declared by law to be no longer legal tender; they were received at Government offices at one-fifth of their nominal value" (p. 264). Referring to the Sherman Purchase Act of 1890 the author says: "The amount of silver to be purchased monthly by the Treasury was now definitely fixed at 2,000,000 ounces of bullion, or silver to the value of \$4,500,000; and to enable these purchases to be made the Government was given unrestricted authority to issue treasury notes" (p. 323). What the act of 1890 did was to require the purchase monthly of 4,500,000 ounces of silver, subject to the restriction that only so much should be purchased as should be offered at market prices not exceeding one dollar for  $371\frac{1}{4}$  grains of pure silver (the content of a silver dollar).

E. W. KEMMERER.

*Transactions and Collections of the American Antiquarian Society.* Volumes XI. and XII. (Worcester, the Society, 1909, 1911, pp. 267; xvi, 268.) Volume XI. furnishes guidance, mainly by way of calendar, to the manuscript records of the French and Indian War in the library of the society. It is prepared by Dr. Charles H. Lincoln, who presents, first, a calendar of the manuscripts of Sir William Johnson possessed by the society, a calendar of the manuscripts of Colonel John Bradstreet, some full texts from each of these groups, a calendar of the society's other French and Indian War materials and the full text of the orderly-book of Lieutenant William Henshaw, describing camp life under Amherst on the march to Fort Edward and at that fort, from May to November, 1759. As the preface justly says, accounts of such collections are indispensable to any full knowledge of the history of the war. Dr. Lincoln has done his work exceedingly well, and has furnished an excellent index.

The other volume, entitled *British Royal Proclamations relating to America, 1603-1783*, edited by Mr. Clarence S. Brigham, librarian of the society, is the result of an exceedingly laudable effort of the society to fill a noticeable gap in the published records of American colonial history. In spite of the importance of royal proclamations and the frequent references to them in colonial history, their actual texts have been exceedingly difficult to consult. Of the 101 printed in this volume, the greater number have indeed been already printed in the *London Gazette*; but as there seems to be in the whole United States but one file

of that journal, the student has almost as little chance to consult them there as in the original form. Mr. Brigham, whose search has been most painstaking and intelligent, prints usually from the printed broadsides, found in one or another British or American repository, and indicates the various places where these rare originals may be found. Appropriate and excellent notes are supplied. The texts themselves are interesting and on certain matters—chiefly tobacco before the Restoration and the regulation of trade and navigation after it—they shed a large amount of light, and help to a fuller understanding of British colonial policy. Among the less important proclamations are a dozen proclaiming fast-days during the war for American independence, and several regulating the distribution of prize money in that and previous wars.

*Publications of the American Jewish Historical Society*, number 20. (New York, the Society, 1911, pp. xix, 209.) The American Jewish Historical Society sustains well in this volume the quality maintained in its predecessors. The most interesting paper, and at the same time the one marked by the greatest learning, is that of the Reverend Dr. David de Sola Pool on Hebrew Learning among the Puritans of New England prior to 1700, in which some bubbles of reputation are pricked yet deserved honor is conceded to the learning of the Massachusetts ministers of the first generation. Another paper of much interest is that of Dr. Alexander Marx on the history of various European societies for promoting the study of Jewish history, a suggestive and stimulating record. The Jews of Virginia from the earliest times to the close of the eighteenth century are treated with many personal details by Mr. Leon Hühner. Mr. Benjamin H. Hartogensis explains clearly the history of the peculiar law of Rhode Island regarding consanguineous Jewish marriages, and its relation to the law prevailing elsewhere in America. The other contributions are mostly collections of original documents, or are biographical in character.

*An Historical Digest of the Provincial Press, being a Collation of all Items of Personal and Historic Reference relating to American Affairs printed in the Newspapers of the Provincial Period, beginning with the Appearance of The Present State of New-English Affairs, 1689, Publick Occurrences, 1690, and the First Issue of The Boston News-Letter, 1704, and ending with the Close of the Revolution, 1783.* Compiled and edited under the direction of Lyman Horace Weeks and Edwin M. Bacon. [Massachusetts Series, vol. I.] (Boston, the Society for Americana, 1911, pp. xiii, 564.) The scheme of this work is to reproduce the texts of American newspapers other than their reprints of foreign intelligence in the English journals, from the first attempted American newspaper in 1690, of which a single number was issued, down through the provincial period closing with the year 1783.

The first volume now issued is devoted to the Massachusetts press.

The *Boston News-Letter* naturally forms the main body of the work, occupying pages 61-488. The material of the first sixty pages is supplied by the other papers noticed on the title-page, together with an account of the precursors of the newspaper, a list of Massachusetts periodicals from 1689 to 1783, and a list of authorities.

The first newspaper (correctly so termed) issued in the colony was *Publick Occurrences*, September 25, 1690, for although it was antedated by *The Present State of the New-English Affairs*, brought out in 1689, the latter was a single broadside without indication of any intention of continuation. The editors therefore seem right in crediting to the *Publick Occurrences* the distinction of being the first attempt to start a newspaper in the colonies, for undoubtedly the publishers intended to continue it regularly, had it not fallen under the ban of the government. The only copy of the publication in existence is preserved in the Public Record Office in London. It was first reproduced in the *Historical Magazine* for 1857, by Dr. Samuel A. Green, who later, in 1901, printed it in facsimile, and it is also reproduced in the volume now under consideration.

Next came the Campbell News-Letters, issued by John Campbell, postmaster of Boston, 1703, which comprised news that came to him from abroad, legal items of Boston, and reports received from other American colonies through the post-office. Twelve of these letters are here printed, preceded by nine manuscript News-Letters from 1699 to 1703.

The *Boston News-Letter* takes up the rest of the volume. In the presentation of the paper the foreign news is briefly summarized, then the American news is given *in extenso*. The contents are commonly made up of proclamations, port statistics, importations, postal service, events local and colonial, real estate transactions, property holdings, wills, court and administrative affairs, legislative acts, and advertisements.

The editors are modest in their claims as to what extent the material in these volumes will add to knowledge of the period covered. From our examination, we think that they are justified in the idea that considerable new light has been shed upon "literary usages, the origin of words, terms and phrases, which have worked their way into common language". The great value of the undertaking, however, is that it has brought together in a convenient compass, and made easily accessible, material which hitherto has had to be sought in widely scattered depositories.

*Proceedings of the New York Historical Association. The Twelfth Annual Meeting, with Constitution, By-Laws, and List of Members. Volume X.* (Published by the New York Historical Association, 1911, pp. 652.) The volume embodies, besides the official record of the meeting of the association at Lake Champlain, October 4, 5, and 6, 1910, a number of papers and three monographs of some length. The papers belonging in the first category are for the most part rather discursive in character, but well adapted nevertheless to the occasion of their presen-

tation. The following merit particular mention: "The Setting of Lake Champlain History", by John M. Clarke, LL.D.; "Historical Societies, their Work and Worth", by Victor Hugo Paltsits; and "The First Missionaries on Lake Champlain", by Rev. Thomas J. Campbell. The three monographs referred to, which present the results of actual investigation, are: "The History of the Iron Ore Industry on Lake Champlain", by Dr. George F. Bixby; "New Historical Light on the Real Burial Place of George Augustus Lord Viscount Howe, 1758", by James Austin Holden; and "The Black Watch at Ticonderoga", by Frederick B. Richards. Dr. Bixby's paper is quite as much descriptive and statistical as it is historical, treating largely of methods and results. Mr. Holden's paper is the most considerable contribution to the volume, and, while the subject is not one of the most inspiring, it makes, nevertheless, an opportunity for some very nice work in historical criticism. The discussion takes its rise from the discovery at Ticonderoga in 1889 of a stone which, it was assumed by some, marked the grave of Lord Howe. Mr. Holden has ransacked archives as well as printed records for material which might throw light on the question and has woven a chain of evidence which leaves practically no doubt that Howe was really buried in Albany, as had always been supposed before the discovery of the Ticonderoga stone. Most of this material has been used before. That which is offered as new is some letters of Captain Alexander Moneypenny, who was with Lord Howe when he was killed and afterward took charge of his remains. Mr. Holden does not, however, state definitely where these letters are found. While the author marshals the evidence with convincing effectiveness he nevertheless often goes so far afield that one is apt to lose sight of the point of the argument. There is also a good deal of repetition. It may be added that the case for Ticonderoga is presented in this volume by Mr. F. B. Wickes. His argument is not convincing although as a brief it possesses some merit. Mr. Richards's paper really embodies a good deal of the history of the Black Watch regiment not pertaining to its service at Ticonderoga. Much of this material—regimental lists, comparative tables of losses, biographical sketches, etc.—is to be found in the twenty appendices to the article.

*The Indian Place-Names on Long Island and Islands Adjacent, with their Probable Significations.* By William Wallace Tooker, Algonkinist. Edited, with an Introduction, by Alexander F. Chamberlain, Assistant Professor of Anthropology, Clark University. (New York and London, G. P. Putnam's Sons, 1911, pp. xxviii, 314.) Mr. Tooker has a high reputation as a student of Algonkin names, especially those of Long Island. Heretofore his conclusions have appeared as scattered papers or chapters in local histories. Long Island names, thoroughly revised, now appear in a substantial volume, and his old friend, Professor Chamberlain, has aided in preparing this valuable book.

Trials come in such studies. Indian names in New York were written in several European tongues, and allowance must be made for this. They are mostly corrupted or abbreviated. They were written hastily—often indistinctly—and mistakes occur in transcribing. Pronunciation was often misunderstood, and words much alike in sound may have different meanings.

Long Island names were written by the English and Dutch only, lessening one difficulty. Early forms are preserved in original records, and these can be consulted in case of doubt. This Mr. Tooker has done, and his knowledge of local features has proved of great value. Long study has enabled him to correct early errors, and the result is a reliable treatise.

Algonkin words differ from Iroquois in the use of labials and also in structure. The former usually prefix the adjective and the locative particle becomes a suffix. Most Iroquois words reverse this. Mr. Tooker deals almost exclusively with the former. Familiarity with early records enables him to detect English names in supposed Indian forms, as Hoggenoch for Hog Neck. Of much interest are his notes on personal names in transfers of land. Mr. L. H. Morgan erroneously held that all Indian lands were held in common, all early writers asserting the contrary. Early Long Island deeds prove that purchases were often made from Indians owning small lots called after them.

One great advantage of Mr. Tooker's local knowledge is shown in defining Manetuck, which he at first thought a form of Manatuck, a name for hills throughout New England. He found no hill there, but a pine swamp instead, expressed by the Delaware word Menantak. His treatment of Manhattan is good.

The prosaic character of Indian place-names also comes out. They refer to boundaries, fishing places, or natural features, as elsewhere, while many persons are seeking beautiful or poetic Indian names, which are rarer. The student will value the ample critical notes, but others will find a century of names appended, suitable for boats, camps, or homes, equally precious to them. In every way it is a timely publication.

*The Logs of the Serapis—Alliance—Ariel, under the Command of John Paul Jones, 1779-1780.* With Extracts from Public Documents, Unpublished Letters, and Narratives, and Illustrated with Reproductions of Scarce Prints. Edited by John S. Barnes. [Publications of the Naval History Society, vol. I.] (New York, the Society, 1911, pp. xliv, 138.) This book is the first volume of the publications of the recently founded Naval History Society, an organization that proposes to render to American naval history a service similar to that rendered to British naval history by the Navy Records Society. It is printed by the De Vinne Press of New York and is an excellent sample of their beautiful workmanship. Its principal contents consist of an introductory note by the editor, lists of officers and men on the *Bon Homme*

*Richard* and *Ariel*, logs of the *Serapis* (September 26–November 21, 1779), *Alliance* (November 22, 1779–June 12, 1780), and *Ariel* (June 18–October 14, 1780), remarks respecting the battle off Flamborough Head, a letter of Captain James Nicholson to Captain John Barry respecting Jones's efforts before Congress to obtain higher rank in the navy (dated June 24, 1781), a letter of Jones to Commodore Esek Hopkins respecting the cruise of the *Providence* (dated September 4, 1776), a letter of Jones to John Wendell respecting the cruise of the *Ranger* and other matters (dated December 11, 1777), and some extracts from the Narrative of Midshipman Nathaniel Fanning. Nearly all of these documents are now published for the first time, and they are mostly copied from manuscripts in the possession of the editor. The book also contains a portrait of Jones (original by Moreau le Jeune), a rare print of the engagement off Flamborough Head, and facsimiles of the first page of the log of the *Serapis*, of a letter of Lieutenant Beaumont Groube, and of the first page of the muster roll of the *Bon Homme Richard*.

In his introductory note the editor discusses at length the history of the materials published in the book, identifies the authorship and penmanship of documents, and acknowledges his obligations to those who have assisted him in his work. His note is a valuable addition to the critical literature relating to Jones. He calls the recent *Life* by Buell "simply a pleasing, popular romance". His critical skill is exhibited in his identification of two pages of manuscript, now found in the Peter Force Collection of Manuscripts, in the Library of Congress, as a part of the log of the *Serapis*. For historical purposes the most valuable information in the book is that which relates to the battle off Flamborough Head and that which throws additional light upon the character of Jones. Large parts of the logs are chiefly of antiquarian interest; other parts however enable us to add somewhat to the details of Jones's career. Our good opinion of Jones is upon the whole not enhanced by the information presented in the book (see pp. xviii, xxvi, 125–127, 132–133). The proof-reading has been well done, and slips in statement are rare. On page xxxi, "1792" should read "1794"; and on page 128, "Ezekiel" should read "Esek". There is no index. The publication is highly creditable to the Naval History Society, and augurs well for its future performances, which might appropriately include the printing of the correspondence of Jones, or of the official letters of Revolutionary naval offices and officers.

C. O. PAULLIN.

*Calendar of Papers in Washington Archives relating to the Territories of the United States (to 1873)*. By David W. Parker. (Washington, Carnegie Institution, 1911, pp. 476.) The volume is supplementary to Van Tyne and Leland's *Guide to the Archives in Washington*, and, as its title indicates, is a detailed description of the territorial

papers. The mechanism of the volume, like that of its predecessor, is most excellent. By grouping the calendars under the names of the various territories, it is made possible for the student to find quickly everything bearing on his subject. The calendar of documents, which includes those found in the Department of State, Treasury Department, Post-Office, General Land Office, House and Senate archives, and Library of Congress, is compressed within the lowest terms consistent with clearness. There is thus made accessible to students a vast amount of interesting and valuable material, hitherto almost unexploited by our historians.

During the preparation of the volume it became evident that some method of delimitation would be necessary. Therefore whole classes of documents, such as the Indian and military papers, those of "narrowly local character", in general, papers relating to internal improvements, routine letters, etc., were omitted. Concerning this method of elimination there is room for serious difference of opinion. The general editor of the series in his preface announces as the criterion followed this general principle, that students are primarily interested in the phenomena of the developing territory that have to do "with its government and its constitutional and political history". It is the reviewer's opinion that students of western history are equally interested in social and economic development and that the usefulness of an otherwise excellent volume has been impaired by too general exclusion. No doubt it is planned to supplement this volume with one including some of the omitted classes; but the students' demands would have been better satisfied by calendaring together all documents within the field; and a more comprehensive work, published in several volumes, could have been carried out with an ultimate saving of time and labor for the Institution.

*Calendar of the Papers of Martin Van Buren*, prepared from the Original Manuscripts in the Library of Congress by Elizabeth Howard West. (Washington, Government Printing Office, 1910 [1911], pp. 757.) Half a dozen years ago Mrs. Smith Thompson Van Buren and Dr. Stuyvesant Fish Morris presented this collection of Van Buren papers to the Library of Congress. Dr. James Schouler has described it in the ninety-fifth volume of the *Atlantic Monthly*. In spite of the large excisions, notably of letters to Jackson, which the careful Van Buren made from the mass of papers he possessed, the collection remains one of the great sources for a knowledge of American political history in the second quarter of the nineteenth century. Some six thousand letters are calendared in this volume—a great service to historical students. The calendaring seems to have been done with much care and skill. The index covers more than ninety pages of fine print.

*Annual Report of the American Historical Association for the Year 1908*. Volume II, Parts I. and II. *Diplomatic Correspondence of the Republic of Texas*. Edited by George P. Garrison, Ph.D., Professor of



History in the University of Texas. (Washington, Government Printing Office, 1911, pp. 807; 808-1617.) The importance of this publication is obvious. Many good judges believed that the Republic of Texas might become a rival of her great neighbor, and she had relations with foreign powers which signified much for the United States. These volumes consist of several bodies of correspondence: with the United States, 1835-1842, in addition to that which made up volume I. (AMERICAN HISTORICAL REVIEW, xv, 630); with the United States, 1843-1846; with Mexico, 1836-1845; with Great Britain, 1837-1846; with France, 1838-1846; and a certain amount of correspondence with Spain, Prussia, Belgium, the Netherlands, the Hanse Towns, the Papal States, and Yucatan. Light is thrown upon numerous interesting subjects, and notably upon the relations of Texas to the United States (leading up to annexation), her relations to England, the policy of England and France with reference to our acquiring her, and the internal political affairs of Texas and the United States. In many cases the documents are of the highest value. The editing—a little more pronounced than that of volume I.—was substantially completed by Professor Garrison, and while possibly there might be a difference of opinion occasionally as to capitalization or some other detail, we may rely confidently, of course, on the scholarship and fidelity of the work. The division of the correspondence into groups, it should be noted, requires one to be careful, for some of the documents deal with more than a single country. For instance (p. 1,485), Ashbel Smith's despatch (no. 55) of June 2, 1844, is placed in the correspondence with France, but is concerned mainly with England. In both of these countries he was the Texan representative. One could wish that some of the many papers (beginning on page 1289) relating to Saligny's petty quarrel with the Texan authorities, growing out of his refusal to pay a bill for board, had been condensed or omitted, and in their place certain particularly important despatches, to be found only in out-of-the-way publications, had been reprinted; but a plan so deliberately made must be criticized with great caution. A Calendar of Correspondence Hitherto Printed, a list of Addenda and Corrigenda (relating to volume I.), a list of the documents arranged chronologically under the names of the writers, and a good general index complete the work.

JUSTIN H. SMITH.

*The British Consuls in the Confederacy*, by Milledge L. Bonham, jr., Ph.D. (Columbia University Studies in Economics and Public Law, volume XLIII., no. 3, pp. 267), is an extensive study of an interesting phase of Confederate history. At the outbreak of the Civil War foreign consuls resident in the seceding states were allowed to continue the exercise of their functions on the theory that the exequaturs granted by the federal government as the agent of the states remained valid, while at the same time the Confederate government desired to make the consuls a

lever for inducing recognition of the Confederacy. The policy led however to complications and friction, with the result that the consuls were ultimately expelled. Dr. Bonham has gathered into this monograph a great deal of material, through which he has traced the history of the subject with care, although mainly from the Confederate side. A thorough study of the subject cannot of course be made until access can be had to the reports of the consuls themselves. The principal manuscript materials which have been used are the Pickens-Bonham papers and the Pickett papers in the Library of Congress and the letter-books of Governors Clark of North Carolina and Lubbock and Murrah of Texas. The affair of the consuls, aside from its direct bearing upon the Confederacy, is of particular interest because of the questions of international law that were involved in it. For it was the diplomatic rather than the commercial phase of consular activity that was brought to the fore by the situation. A chapter is nevertheless devoted to the commercial relations of the consuls. The public attitude in the matter, as voiced by the newspapers, is presented with some particularity.

*Memoirs of W. W. Holden.* With an introduction by William K. Boyd. [The John Lawson Monographs of the Trinity College Historical Society, Durham, North Carolina, vol. II.] (Durham, 1911, pp. vii, 199). The writer of these memoirs was editor and proprietor of the *North Carolina Standard* from 1843 to 1868; was appointed provisional governor of North Carolina by President Johnson in May, 1865, holding that office until the following December; was elected governor in 1868, and was impeached in March, 1871, because of his proceedings against the Ku Klux Klan. The memoirs of a man who was in the very forefront of state politics for more than a quarter of a century during which politics constantly seethed and boiled ought to be of great value. These memoirs possess interest and they also have value; nevertheless they are something of a disappointment, because there is so much that Governor Holden might have told us which he has not, so many matters of which we are given only a partial view which we could wish had been presented in a broader light. The principal reason for these deficiencies, as well as for the somewhat disorganized state in which the memoirs appear, is to be attributed to the advanced age and feebleness of the writer at the time when his memoirs were recorded. He laments that while his mind is full of the events of the past he has not the physical strength to catch them and fix them all on paper. In spite of these deficiencies we do however learn how many things came about in North Carolina politics concerning which we should otherwise be shut up to conjecture. Conferences and other incidents which reveal the attitude of the memoirist and the part which he took in affairs are often related in some detail; sometimes indeed with the additional purpose of revealing the attitudes of other men. Concerning the trend of political opinion the exposition is not all that could be desired. The development of

Holden's own attitude from one of pronounced hostility to the "Black Republicans" in 1856, or thereabouts, to alliance with their successors in 1865, if not in 1863, is only half explained. Touching his course in suppressing the Ku Klux, Governor Holden, although acknowledging that he doubtless made mistakes, at the same time spiritedly maintains that he was not actuated in the least by political motives and that the course he took was absolutely necessary. There is throughout the book a singular freedom from personal attack on those who opposed him; scarcely any manifestation of bitterness even toward those who were active in his impeachment. Taken as a whole the memoirs aid materially toward an understanding of Holden's part in reconstruction in North Carolina, and contribute something toward a general view of the period.

*The Panama Canal: a Study in International Law and Diplomacy.* By Harmodio Arias, B.A., LL.B. [Studies, London School of Economics and Political Science.] (London, P. S. King and Son, 1911, pp. xiv, 188.) This essay is an attempt to determine the status of the Panama Canal from the standpoint of international law. In the first part the author reviews the diplomatic history of the question, and in the second he discusses existing treaty stipulations and the principles of international law which he deems applicable. The historical discussion contains little or nothing that is new. The discussion of the legal status of the canal is, however, timely and suggestive.

We agree with the writer that in view of "the analogy existing between the Suez and Panama canals, it seems impossible to avoid the conclusion that their position in law will be exactly the same", but in assuming that "there is no doubt whatever as to the international status" of the Suez Canal, he leaves out of account the reservation under which England signed the Convention of 1888, and the fact that this reservation was again brought to public notice by Mr. Curzon on the floor of the House of Commons in 1898. He also overestimates the neutralization features of the Hay-Pauncefote Treaty and fails to interpret that instrument in the light of the clauses stricken out of the first draft. As a matter of fact the treaty as revised is full of loopholes, and the neutralization of neither canal is yet fully assured. The fact that the Hay-Pauncefote Treaty is signed only by the United States and England, Mr. Arias contends, contrary to most writers, does not impair the principle of neutralization, because the treaty "embodies rules which have already gained universal acceptance [in the Suez Canal Convention] and are just in themselves".

In the chapter on The Fortification of the Panama Canal Mr. Arias again differs from most authorities in holding that fortifications are not inconsistent with the idea of neutralization. Neutralization, he says, "cannot take away the right of self-defence, and, as a logical consequence, the erection of fortifications is not repugnant to the notion of neutralization". In view of the decision of the United States to fortify

the canal this view should be of comfort to the advocates of neutralization.

The quotation from President Cleveland's message, page 50, is not taken from an official source and is inaccurate. The date of the second Peace Conference, pages 79 and 141, should be 1907 and not 1909. Off-shot, page 78, should be offshoot.

JOHN HOLLADAY LATANÉ.

### TEXT-BOOK

*A History of the Ancient World.* By GEORGE WILLIS BOTSFORD, Ph.D., Professor of History, Columbia University. (New York, Macmillan Company, 1911, pp. xviii, 588.)

The great advantage which Professor Botsford's *History of the Ancient World* possesses is that it springs from a first-hand acquaintance with the sources. For twenty-five years he has been busied professionally with their study. In that time, moreover, he has had occasion to keep in constant touch with the secondary literature; and how wide is his reach and careful is his performance all those know who have tested his *Roman Assemblies*. One may dissent from Professor Botsford's opinion on particular matters, and, in fact, the reviewer is by no means in accord with all his conclusions. That goes almost without saying in a province where the elements of uncertainty are often so great. The point is that the views stated in this text are generally capable of a satisfactory defense. They are not, as is unhappily too frequently the case in similar works, survivals of abandoned syntheses or half-truths reached by ignoring new or pertinent facts. Ancient history is now cluttered up with generalizations which were once sound but which have proved inadequate with advancing knowledge, and with the hasty inferences of men of imagination to whom the paucity of materials has been a license for free and reckless conjecture. A lot of dead books are commonly treated with numbing reverence and a lot of live books with undeserved respect. It is, therefore, refreshing to find a text-book writer who is really critical.

In the material equipment of text-books on ancient history the standard set in the United States is very high—higher the reviewer believes than in any other country. In paper and binding they are often inferior to their English rivals, but to them alone; whereas in the number of maps and other illustrations they are in a class by themselves. Professor Botsford's maps are well designed and his illustrations well chosen. If fault can be found at all it is with the way some of them are executed, but it is a fair question whether much better can be reasonably demanded in a work which contains 606 pages and has to sell for \$1.50. Care has been taken to have the maps really help geography and the cuts really illustrate the text, and in general no pains have been spared to enable the students—and the teachers, alas!—to pronounce all proper names

and find all place-names. The so-called Note-book Topics appended to each chapter are not impracticably numerous and are accompanied by references to reliable and serviceable books.

"The newer educational movement", says Professor Botsford in the preface, "rightly lays stress on the causal relations and the significance of events and on culture and social life. My *History of Greece* (1899) did pioneer work in this field; and I now cherish the hope that educators will soon see their way clear to the elimination of many minor persons and events from the study of ancient history to make room for a larger treatment of social and cultural activities." It is, perhaps, unwise to dwell on controversial matters in a review; but the writer finds himself so strongly at variance with at least one phase of the so-called "newer educational movement" that he cannot refrain from criticizing its appearance in this text-book. For laying "stress on the causal relations and the significance of events" he has nothing but praise; and the excellence of Professor Botsford's earlier histories in this respect perhaps permits him to "Myersize" a trifle in his latest effort. But when we are told that the old-fashioned narrative history shall be reduced to a minimum to make way for disquisitions necessarily more or less abstract on culture and society the reviewer wishes to protest in the name of the boys and girls of fourteen for whom, presumably, this book is intended. That sort of thing may be within the grasp of young people of eighteen preparing for college, though some experience in reading college entrance papers has convinced the reviewer of its general futility in the high-school curriculum. Surely for the other class, the big and growing body of first-year pupils, the text-book which does not tell a story vividly and with some appeal to the dramatic sense is bound to be more or less of a failure. And if the facts of history thus presented elicit no response we had better admit frankly the failure of history itself. Can a moving story be embodied in a summary of chief events enlarged by a similar summary of cultural and social topics? The reviewer has serious doubts even at the end of Professor Botsford's skilful and experienced narrative. He hopes that educators in this country will soon see their way clear to revert to the practice of England and the Old World generally of instructing beginners in history by telling them a story and compelling them to know it. To do so means of course one text for the first-year class and quite a different one for college preparatory work. It means too that boys and girls are confessedly unable to appreciate everything that makes Greece and Rome great.

W. S. FERGUSON.

## NOTES AND NEWS

### AMERICAN HISTORICAL ASSOCIATION

The twenty-seventh annual meeting of the American Historical Association is held at Buffalo on December 27, 28, and 29, and at Ithaca on December 30. The programme devotes the session of Wednesday evening to the address of Professor Sloane as president of the Association, and to that of Governor Simeon E. Baldwin as president of the American Political Science Association. It makes provision for plenary sessions occupied with British imperial problems, with papers in diplomatic history, with the history of Spanish America, and with European history; for a joint session with the Mississippi Valley Historical Association, devoted to various frontier problems of an historical sort; and for conferences of archivists, of state and local historical societies, of teachers of elementary history, and of persons interested in ancient history, European history, and southwestern history. Provision is likewise made for entertainment by a "smoker" given by the Buffalo Club, a luncheon at Buffalo, another at Cornell University, and a reception at the house in Ithaca of Honorable Andrew D. White, the first president of the American Historical Association. The next annual meeting, December, 1912, will be held at Boston and Cambridge.

The members of the American Historical Association were advised by circular, at the time of publication of the second volume of the *Annual Report* for 1908 and of the (single-volume) *Annual Report* for 1909, that those volumes would be sent out to members only in case they signified, by means of a return post-card which was provided, their wish to receive these books. Members who may not have given immediate attention to the matter should be informed that the volumes are still, and will continue to be, obtainable upon application addressed to the secretary, Mr. W. G. Leland, Carnegie Institution, Washington, D. C. The *Annual Report* for 1910, which will consist of but one volume, is for the most part in page-proof. The Toombs-Stephens-Cobb correspondence is postponed to next year's report. It may be useful for libraries to know that, while the annual bibliography entitled *Writings on American History, 1909*, is embedded in the *Annual Report* for that year, and the same will be true of the subsequent annual bibliographies, separates, in cloth binding, can also be had. Applications for them, or for the separate volumes for 1906, 1907, and 1908, should be addressed to the secretary. The Association and several other subscribing societies and individuals have assured continuance of this bibliography for another period of five years.

In the series "Original Narratives of Early American History" a volume entitled *Original Narratives of Early Pennsylvania, West New Jersey, and Delaware*, edited by Mr. A. C. Myers, has been completed in the press, but publication has been deferred until after the beginning of the new year.

At the time of going to press it is expected that Mr. Notestein's prize essay on *The History of English Witchcraft* will have been issued to subscribers before the close of 1911, and that Mr. Turner's on *The Negro in Pennsylvania* will be so issued before the end of January. The Herbert Baxter Adams prize for 1910 is awarded to Miss Louise F. Brown of Wellesley College, for an essay on the Political Activity of the English Anabaptists under Cromwell.

The *History Teacher's Magazine* for September contains articles on historical material and its keeping by Professor T. N. Hoover and on the introductory course at the University of Missouri by Professor N. M. Trenholme, together with contributions on historical museums and pictures and other topics of interest to teachers in secondary schools. The *History Teacher's Magazine*, managed with great enterprise and intelligence, has, during the two years of its existence, so commended itself to the opinion of all persons competent to judge and to the service of those for whom it was intended that the announcement of its discontinuance seems to have awakened universal surprise as well as regret. It is hoped that means may yet be found by the American Historical Association, through which this useful journal may be assured of support and continuance. A committee appointed at the meeting of the Executive Council of the Association, December 2, and consisting of Professors St. George L. Sioussat, F. M. Fling, H. D. Foster, J. F. Jameson, Henry Johnson, and A. H. Sanford, is actively engaged in collecting subscriptions toward a guarantee fund for three years, to supplement that which has been voted from the treasury of the Association. Subscriptions may be sent to Mr. Jameson as treasurer of the fund.

#### PERSONAL

Count Henry Houssaye, of the French Academy, died at Paris in September, at the age of sixty-three. His first important work was a history of Alcibiades and of the Athenian republic of his time, published in 1874 and followed by various other writings in classical history. But those which have had the most vogue, passing in some cases through more than fifty editions, were his *1814*, *1815*, *La Première Restauration*, *Le Retour de l'Île d'Elbe*, *Les Cent Jours*, *Waterloo*, *La Terreur Blanche*, etc., brilliant pieces of literature resting on solid researches.

Martin Ignatius Joseph Griffin, secretary of the American Catholic Historical Society, died in Philadelphia on November 10, at the age of sixty-nine. An eager student of Irish-American and Catholic-American history, and a diligent and serviceable editor of a valued Catholic his-



torical magazine, he also wrote several biographies, of which the chief was a *History of Commodore John Barry*.

Miss Emma H. Blair died at Madison, Wisconsin, on September 25, at the age of sixty. She is known as the assistant editor of *The Jesuit Relations* and as joint editor of *The Philippine Islands*. The information, knowledge, and skill shown in her editorial work were the fruits of laborious devotion to her work and of constant and wide reading. Among those more intimately associated with her she will be remembered for her modest and single-minded devotion to historical research.

During the present academic year the Theodore Roosevelt professorship at the University of Berlin is held by Professor Paul S. Reinsch of the University of Wisconsin, who lectures on the Expansion of the United States. In 1912-1913 it will be occupied by Professor William M. Sloane of Columbia University, whose theme will be the History of Political Parties in the United States.

Dr. Arthur C. Howland has been promoted to the full rank of professor of medieval history in the University of Pennsylvania.

Mr. Clarence D. Johns of the University of Chicago has been appointed by the Board of Trustees of the Illinois State Historical Library to the position of investigator of county and other local archives, in accordance with the recent action of the state legislature which authorized an appropriation for this purpose.

Dr. Louis Pelzer has been appointed to the position of professor of Western American history in the State University of Iowa.

Dr. Louis J. Paetow of the University of Illinois has been appointed assistant professor in history at the University of California.

The resignation of Señor Genaro García from the directorship of the Museo Nacional in Mexico is to be noted as involving a great loss to organized historical scholarship in Mexico.

#### GENERAL

The Tenth International Congress for the History of Art will be held in Rome in October, 1912. It is expected that the chief field of discussion will be the relation of Italian art to that of other countries.

There has appeared in the "Bibliothèque de Philosophie Contemporaine" (Paris, Alcan) a volume by Henri Berr, editor of the *Revue de Synthèse Historique*, on *La Synthèse en Histoire: Essai Critique et Théorique*. This volume is intended in some degree to summarize the results of the discussions long carried on in the *Revue de Synthèse Historique* and in particular to make them of practical utility.

Volume XXXII. of the *Jahresberichte der Geschichtswissenschaft*, recently issued, deals with the literature of 1909, in two parts (pp. xii,

284, 566; viii, 461, 253). Dr. Georg Schuster continues in editorial charge. The section for the United States, covering two years, has been prepared by Mr. Waldo G. Leland.

The bibliographical bulletins of the September-October issue of the *Revue Historique* are devoted to Greek history, 1910-1911 (non-French publications, Gustave Glotz), the history of the Netherlands (Th. Bussemaker), and the medieval history of France (L. Halphen).

In the Below-Meinecke *Handbuch der Mittelalterlichen und Neueren Geschichte* there has recently been published a *Geschichte der Neueren Historiographie*, by Professor E. Fueter of Zürich (Munich, Oldenbourg).

The Hispanic Society of America has just published *Portolan Charts: their Origin and Characteristics, with a Descriptive List of those belonging to the Hispanic Society of America*, by Professor Edward L. Stevenson, secretary of the society. The text is of viii + 76 octavo pages, and fifteen of these important charts appear in full-page artotype reproduction.

In the *Nachrichten von der K. Gesellschaft der Wissenschaften zu Göttingen*, phil.-hist. Kl., 1911, I, pp. 35-166, Dr. W. Ruge makes his fourth report, 1906-1907, on his examinations of the older cartographical material in German libraries, presenting a mass of data invaluable to the student of the history of geography.

Noteworthy articles in periodicals: A. D. Xenopol, *L'Inférence en Histoire* (*Revue de Synthèse Historique*, XXII. 3); G. Rexius, *Studien zur Staatslehre der Historischen Schule* (*Historische Zeitschrift*, CVII. 3).

#### ANCIENT HISTORY

The second fascicule of J. Lieblein's *Recherches sur l'Histoire et la Civilisation de l'Ancienne Égypte* (Leipzig, J. C. Hinrichs, 1911) deals with the New Theban Empire and with the dynasties between the twentieth and the twenty-sixth. Volume II. of the *Studies* of the British School of Archaeology in Egypt (London, Quaritch, 1911) contains eleven papers by W. M. F. Petrie, E. B. Knobel, W. W. Midgeley, J. G. Milne, and M. A. Murray, six being by Petrie. Tome XVIII. of the *Mémoires publiés par les Membres de l'Institut Français d'Archéologie Orientale du Caire* is the third volume of H. Gauthier's *Les Livres des Rois d'Égypte: Recueil de Titres et Protocoles Royaux* (Cairo, 1910).

*Four Years' Excavations at Thebes*, by the Earl of Carnarvon and Mr. Howard Carter (Oxford University Press, plates and 100 pp. folio), embodies the results of Lord Carnarvon's long explorations at Thebes, with special chapters by Professor F. Ll. Griffith, M. George Legrain, Dr. Möller, Professor Newberry, and Professor Spiegelberg. Of especial interest is the account and translation of the important historical

tablet relating to the wars of the Theban kings of the seventeenth dynasty with their Hyksos suzerains which resulted in the final overthrow of the latter.

Professor John Garstang of the University of Liverpool has, on the basis of two journeys of exploration and long continued studies, summarized the present knowledge of the Hittite Empire in *The Land of the Hittites* (pp. 390), published in this country by E. P. Dutton.

Some fifty pages of the *Revue des Questions Historiques* for October are occupied with an elaborate survey of the writings of 1910 on ancient Greek and Roman history, by Professor Maurice Besnier of Caen.

The *Revue Historique* for November-December contains a summary review of recent non-French books on Roman history, by Professor Charles Lécrivain of Toulouse.

The Open Court Publishing Company has taken the occasion of Professor Franz Cumont's visit to America to publish in an authorized translation his *Oriental Religions in Roman Paganism* (pp. 320).

#### EARLY CHURCH HISTORY

Band XXV. of the *Abhandlungen der k. Bayer. Akademie der Wissenschaften*, phil.-hist. Kl., is an edition by A. Ehrhard of a work by the late Professor Karl Krumbacher entitled *Der hl. Georg in der Griechischen Ueberlieferung* (Munich, G. Franz, pp. xlii, 332).

Professor Carl Mirbt's *Quellen zur Geschichte des Papsttums und des Römischen Katholizismus* has been issued in a third edition (Tübingen, J. C. B. Mohr, pp. xxiv, 515), revised and enlarged, particularly in the field of recent history.

Noteworthy articles in periodicals: A. Harnack, *Greek and Christian Picty at the End of the Third Century* (Hibbert Journal, October).

#### MEDIEVAL HISTORY

The first volume of the *Cambridge Medieval History*, planned by Professor Bury and edited by Professors H. M. Gwatkin and J. P. Whitney, has just appeared (Cambridge, University Press; New York, Macmillan, pp. xxiii, 754). Its subtitle is *The Christian Roman Empire and the Foundation of the Teutonic Kingdoms*, with which it deals in the manner now made familiar by the *Cambridge Modern History*, in twenty-one chapters by twenty different writers. The bibliography covers 81 pages, the index 56. An octavo portfolio contains fourteen illustrative maps.

Mr. Henry Osborn Taylor has published a third edition of his *The Classical Heritage of the Middle Ages* (Macmillan) with a small appendix of additional bibliographical references, but with few other alterations.

Dr. E. A. Loew of the American School of Classical Studies in Rome has recently issued *Studia Palaeographica: a Contribution to the History of Early Latin Minuscule and to the Dating of Visigothic MSS.* (Munich, Bavarian Academy). He has also in press *Scriptura Beneventana* (a collection of facsimiles with accompanying text; Rome, D. Anderson), together with a treatise, *The Beneventan Script: a Manual of the South Italian Minuscule*, and *Scriptura Latina Minuscula Antiquior*, a series of fifty facsimile plates of early Latin minuscule from the seventh to the ninth century.

Volume 165 of the *Sitzungsberichte* of the Vienna Academy (Vienna, A. Holder, 1911, pp. 354) is entirely devoted to a remarkable piece of searching criticism by Father W. Peitz, S.J., *Das Originalregister Gregors VII. im Vaticanischen Archiv* (Reg. Vat. 2) *nebst Beiträgen zur Kenntnis der Originalregister Innozenz' III. und Honorius' III.* (Reg. Vat. 4-11).

The *Deutsche Literaturzeitung* for August 12-19 contains a brief but very helpful review by Professor R. Seeberg of the literature on St. Francis of Assisi, since Sabatier, under the title "Zur Charakteristik des hl. Franz von Assisi".

Noteworthy articles in periodicals: B. Steinitz, *Die Organisation und Gruppierung der Krongüter unter Karl dem Grossen* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, IX. 3); W. Ewald, *Siegelmissbrauch und Siegelfälschung im Mittelalter* (Westdeutsche Zeitschrift für Geschichte und Kunst, XXX. 1); Paul Fournier, *Le Décret de Burchard de Worms: ses Caractères, son Influence, II.* (Revue d'Histoire Ecclésiastique, October); L. Fumi, *Eretici in Boemia e Fraticelli in Roma nel 1466* (Archivio della R. Società Romana, XXXIV. 1-2).

#### MODERN EUROPEAN HISTORY

An important work by Abbé Auguste Humbert on the *Origines de la Théologie Moderne* has been begun with a volume on *La Renaissance de l'Antiquité Chrétienne (1450-1521)* published by Lecoffre (Paris, 1911, pp. 358), in which he proceeds from the medieval reform movements to the Lutheran.

*The Papacy and Modern Times: a Political Sketch, 1303-1870*, by Rev. Dr. William Barry, and *History of our Time, 1885-1911*, by G. P. Gooch, are recent additions to the *Home University Library* (New York, Holt).

A new edition of Calvin's *Institutes* has been published by H. Champion, Paris, under the editorship of Professor A. Lefranc assisted by Professor H. Chatelain and J. Pannier (two volumes, pp. xliii, 842). The work is published from the first French edition of 1541 and is furnished with an exhaustive critical and historical introduction by

Professor Lefranc. The last important edition, that of Baum, Cunitz, and Reuss, for the *Corpus Reformatorum* in 1865 is not regarded as based on a satisfactory text (that of Calvin's last French edition, 1560), and in 1894 M. Lanson maintained the necessity of going back to the edition of 1541. The cost of the present undertaking is being defrayed by the Marquise Arconati-Visconti.

The latest annual report of the Prussian Historical Institute in Rome mentions the issue of volume XI. of the first series of the *Nuntiaturberichte*, ed. Friedensburg, containing the relations of Pietro Bertano, 1548-1549. This, with volume VII., for 1541-1545, ed. Cardauns, shortly to appear, will nearly complete the first series, 1533-1559. A volume of nuncio-reports from Prague for 1603-1606, ed. A. O. Meyer, is also to be published soon. Professor Schellhass has in preparation a volume on the Catholic reform movement under Gregory XIII., Dr. Hiltebrandt one on the history of Protestantism in Poland from 1550 to 1768, Dr. Cardauns one on the political relations between Charles V., Francis I., and Paul III., 1538-1544, and Dr. Sthamer one on the University of Naples in the thirteenth century.

The third volume of Professor Josef Šusta's *Die Römische Kurie und das Konzil von Trient unter Pius IV.* (Vienna, Holder, 1911) consists of documents carrying the history of the council from September 19, 1562, to May 17, 1563, and bearing especially on the decree regarding residence of bishops, on the discussions upon the Sacrament of Orders, and on the arrival and activities of the Cardinal of Lorraine.

The house of Félix Alcan, Paris, announces the appearance, January 1, 1912, of the first number of a *Revue des Études Napoléoniennes*, to be issued every two months under the direction of M. Édouard Driault. It will regard both Empires as its field; indeed the field seems to be regarded with a very liberal eye, as special attention will be given to the Italian Risorgimento, and the claim is made that the publication "sera comme une revue du XIX<sup>e</sup> siècle". A large number of well-known names appear in the *Comité de Patronage et de Rédaction*. In regard to domestic history the programme proceeds from the assertion that "il y a presque tout à faire pour l'étude des institutions, des constitutions, du gouvernement, en un mot du régime impérial", and special attention is also promised to literary and artistic history. A large amount of work is definitely announced for near publication.

The *Correspondant* has recently been publishing material of great interest in the study of papal policy in the early nineteenth century. It includes the letters of Lacordaire to the Count de Falloux and a body of recollections of the pontifical zouaves by M. O. Le Gonidec de Traissan.

H. Haessel, of Leipzig, has published *Die Zeitschriften der Romantik*, by Johannes Bobeth, with facsimiles. The journals are dealt with individually, from the standpoint of literary history.

Professor Gottlieb Egelhaaf's *Geschichte der neuesten Zeit vom Frankfurter Frieden bis zur Gegenwart* has reached a third revised edition within three years (Stuttgart, C. Krabbe, pp. x, 594), the revision being by Professor Neukirch and bringing the narrative to July, 1911.

Noteworthy articles in periodicals: *The Collapse of the First Coalition* (The Edinburgh Review, October); H. Friedjung, *Fürst Felix Schwarzenberg und Graf Albrecht Bernstorff* (Historische Zeitschrift, CVII. 3); Pierre Muret, *La Politique Française dans l'Affaire des Duchés et les Premiers Essais d'Intervention Européenne jusqu'à l'Invasion du Slesvig*, I. (Revue d'Histoire Moderne et Contemporaine, September-October); Max Adler, *Mach und Marx: ein Beitrag zur Kritik des modernen Positivismus* (Archiv für Sozialwissenschaft und Sozialpolitik, XXXIII. 2).

#### GREAT BRITAIN AND IRELAND

The preliminaries for the bibliography of the modern history of Great Britain, planned in concert by committees of the American Historical Association and of the Royal Historical Society, are now practically complete. The selection of titles and the gathering of data for the sixteenth and seventeenth centuries are going forward, in the hands of some sixteen scholars, members of the two committees and others. Some ten thousand titles will be included. The work will consist of three volumes, one general, one devoted to the Tudor and Stuart periods, and one to the Hanoverian period. The general editor is Professor G. W. Prothero, chairman of the English committee.

The inaugural meeting of the Historical Association of Scotland was held at the University of Edinburgh on November 11, Professor Richard Lodge presiding. The English Historical Association, founded five years ago, now has a thousand members and fourteen branches, and has published twenty-five pamphlets and leaflets.

It appears that in certain weeks of the autumn the best selling book in England has been the history of England prepared for ingenuous youth by Mr. C. R. L. Fletcher and Mr. Rudyard Kipling, the latter contributing verses of undoubted merit and patriotic intention, the former a narrative praised by all Tory journals.

In the *Junior School British History* (London, Rivington, 1911, pp. vii, 341) Arthur D. Innes has added to his earlier text-books a book adapted to younger pupils. The history of England is divided into seven periods the story of each of which is supplemented by tables of dates and lists of leading statutes.

The firm of John Murray is about to bring out a *Life of Edward, First Earl of Sandwich, 1625-1672*, prepared by Mr. F. R. Harris from hitherto unpublished documents preserved at Hinchinbroke, a *Life of the Marquess of Ripon*, by Mr. Lucien Wolf, and a *Life of the Right*

*Honorable Sir Charles Dilke*, edited by his literary executrix, Miss Gertrude Tuckwell, from diaries and papers in the possession of the family; also a volume on *Tangier: England's Lost Atlantic Outpost, 1661-1684*, by E. M. G. Routh, prepared from original archive materials and illustrated by plates reproduced from etchings by Wenceslaus Hollar, who visited Tangier in 1669.

Mr. T. W. Fulton, lecturer on the scientific study of fishery problems at the University of Aberdeen, has brought out (London, Blackwood) a treatise on *The Sovereignty of the Sea: an Historical Account of the Claims of England to the Dominion of the British Seas and of the Evolution of the Territorial Waters*. A thoroughgoing criticism of it will be found in the October *Edinburgh Review*.

Dr. Raymond Crawford's *The King's Evil* (Oxford University Press) reviews with much knowledge both of medicine and of literature the whole history of the practice of touching for scrofula, from Edward the Confessor to Cardinal Henry of York.

The Oxford University Press has followed its earlier volume of historical portraits with one of *Historical Portraits, 1600-1700*, selected by Mr. Emery Walker, the supplementary lives being by Messrs. H. B. Butler and C. R. L. Fletcher.

Mr. H. F. Russell Smith's *The Theory of Religious Liberty in the Reigns of Charles II. and James II.* is one of the most recent of the Cambridge Historical Essays.

*The English Court in Exile: James II. at Saint-Germain*, by Edwin and Marion Sharpe Grew (London, Mills and Boon) treats with much intelligence and fulness of knowledge a theme picturesque, though no longer of the highest importance.

*The Village Labourer, 1760-1832*, by J. L. and Barbara Hammond, has as its subtitle *A Study in the Government of England before the Reform Bill*, and is an important contribution to the literature of the Industrial Revolution.

In *William Pitt and the Great War* (Macmillan, pp. xv, 596) Dr. J. Holland Rose continues his *William Pitt and National Revival* by tracing the career of Pitt from 1791 to his death in 1806.

*The Memoirs and Letters of the Right Hon. Sir Robert Morier, G.C.B., from 1836 to 1876*, especially important as a record of German development, which this gifted diplomat observed close at hand, have been edited by his daughter, Mrs. Rosslyn Wemyss, and published by Arnold.

Turner's *The First Decade of the Australian Commonwealth*, reviewed in this journal in October (p. 155), is published in this country by Longmans, Green, and Company.



Dent, London, has published a useful book by C. R. Stirling Taylor entitled *An Historical Guide to London* (pp. xii, 446, illustrated).

The School of Local History and Records founded at Liverpool in 1909 will shortly publish the text of the "Town Books" of Liverpool, the facsimiles of the oldest charters of Liverpool, and a study of Lancashire place-names by Henry Cecil Wyld.

British government publications: *Calendar of the Patent Rolls, Edward III.*, vol. XI., 1358-1361; *Calendar of State Papers, Venetian*, vol. XVII., 1621-1623; *Calendar of Treasury Books*, vol. V., parts I. and II., 1676-1679, ed. W. A. Shaw.

Other documentary publications: *Calendar of Letter-Books preserved among the Archives of the Corporation of the City of London at the Guildhall: Letter-Book K, temp. Henry VI.*, ed. Reginald R. Sharpe.

Noteworthy articles in periodicals: C. H. Haskins, *England and Sicily in the Twelfth Century*, II. (English Historical Review, October); T. F. Tout, *Firearms in England in the Fourteenth Century* (*ibid.*); *The History of the Inns of Court* (Edinburgh Review, October); Count Marc de Germiny, *Les Brigandages Maritimes de l'Angleterre sous le Règne de Louis XVI.*, III. (Revue des Questions Historiques, October); *Ten Years of the Australian Commonwealth* (Quarterly Review, October).

#### FRANCE

We can recommend M. Gremoli, 4 rue Lavoisier, Paris, as competent to pursue historical and genealogical investigations in the archives and libraries of Paris and vicinity, and especially to undertake tasks that require a knowledge of palaeography, or that call for the copying of miniatures, or other work of unusual character.

The *Bibliothèque de l'École des Chartes* has published a somewhat elaborate "Table des Tomes LXI.-LXX." (pp. 119), covering the period 1900-1909 and prepared by M. Ch. Samaran.

A great *Dictionnaire de Biographie Française* is to be prepared after the model of those already existing for England, Germany, Austria, Denmark, and Belgium. The editors will be MM. Louis Didier, Albert Isnard, and Gabriel Ledos; the publishers, MM. Letouzey and Ané.

The *Histoire de France* prepared by M. Ernest Lavisse and his collaborators (Paris, Hachette, nine volumes, 1901-1911) has now been completed by the addition, as part 2 of volume IX. (pp. 320), of an elaborate and, we should say, notably excellent index.

The *Bibliothèque d'Histoire du Droit Normand*, in addition to its series of texts, has begun a series of monographs. The first two numbers deal with two characteristic institutions of Norman law: *Le Clameur de Haro*, by H. Pissard, and *Le Parage Normand*, by R. Genestal (Caen, 1911).

MM. Paul Vitry and Gaston Brière, who published in 1904 an album entitled *Documents de Sculpture Française du Moyen Age* which has had much success, have now continued their work with a similar publication of *Documents* for the Renaissance. The first part contains 92 plates and 20 pages of text and covers the early Renaissance (Paris, D. A. Longuet, 1911, folio).

Tome XXIX. of the *Petite Bibliothèque d'Art et d'Archéologie* is by A. Marignan, and is entitled *La Décoration Monumentale des Églises de la France Septentrionale du XII<sup>e</sup> au XIII<sup>e</sup> Siècle* (Paris, E. Leroux, 1911).

Professor Hans Prutz has published a new study of *Jacques Coeur von Bourges* as Heft 93 of E. Ebering's *Historische Studien* (Breslau, pp. viii, 438).

M. Pierre Champion has begun in the *Correspondance Historique et Archéologique* the publication of an inventory of the papers of Charles d'Orléans, drawn up in 1444 by the prince's secretary. The documents enumerated are now largely lost.

The important work by M. Georges Lepreux entitled *Gallia Typographica, ou Répertoire Biographique et Chronologique de tous les Imprimeurs de France depuis les Origines de l'Imprimerie jusqu'à la Révolution*, has received a considerable addition through the publication of two volumes in the *Série Parisienne*, devoted to the king's printers (Paris, H. Champion, 1911, pp. 546, 236). There is included a bibliography of the Parisian press, as well as a large number of documents. Two additional volumes will be given to the *Série Parisienne*, besides a general index; the author will then return to the provincial press, to which the first part of his work was devoted.

A central chapter of the history of France in the time of the wars of religion is treated competently and at length by M. Lucien Febvre in *Philippe II. et la Franche-Comté* (Paris, Champion, 1912, pp. 806).

The Hachette edition of the correspondence of Bossuet (*Grands Écrivains de la France*) covers with volume IV. the period 1689-1691, and embraces letters 487 to 673, 97 being published from the originals.

Thoroughness and clearness characterize *L'Administration Financière des États de Bretagne de 1689 à 1715* (Paris, Champion, 1911, pp. 256), the posthumous work of M. Franck Quessette, professor in the college of St. Servan, who has ended at the age of twenty-three a very promising career.

The firm of Hachette publishes *L'État Économique du Languedoc, 1750-1789*, by L. Dutil (1911, pp. xxiv, 962).

A. Chuquet has published with De Bocard, Paris, the fourth series of *Études d'Histoire*, dealing mainly with incidents in French military history, 1789-1815.

There appears in the *Historische Studien* of E. Ebering a new study by Fritz Klovekorn of *Die Entstehung der Erklärung der Menschen und Bürgerrechte* (Berlin, E. Ebering, 1911, pp. 228). It is the object of the author to bring more detailed evidence in favor of Jellinek's position on this matter.

The firm of Marcel Rivière in Paris has undertaken the publication of a history of the Socialist parties in France, in brief monographs. The editorship is entrusted to A. Zévaès and the first issue is a sketch by A. Chaboseau entitled *De Baboeuf à la Commune*. The editor contributes the second, *De la Semaine Sanglante au Congrès de Marseille, 1871-1879*.

Professor A. Aulard has published an important study of "La Centralisation Napoléonienne" in the last issues of *La Révolution Française*, XXXI. 2, 3, 4; he comes practically to the conclusion that not enough work has yet been done in the field of departmental administration under the First Empire to give an opportunity to the general historian, and calls for laborers in this field.

Frédéric Masson's *Le Sacre et le Couronnement de Napoléon*, translated under the title *Napoleon and his Coronation* by Frederic Cobb (Philadelphia, Lippincott), is a contribution to the history of the relations between Church and State in France.

F. M. Kirchseisen, known by his labors in Napoleonic bibliography, has published with R. Lutz of Stuttgart, Band I. of *Napoleon's Unter-gang: Ausgewählte Memoirenstücke* (dealing with 1812), and Band I. of *Napoleon's Gespräche, zum erstenmal gesammelt und herausgegeben*. The latter work will extend to three volumes.

The Ministry of Foreign Affairs has published the fourth volume, extending from August 1 to November 5, 1864, of its *Origines Diplomatiques de la Guerre de 1870-71*.

Perrin, Paris, has published the first (and only) part of the late Alphonse Bertrand's history of the Third Republic, under the title *Les Origines de la Troisième République (1871-1876)*.

The surviving executors of the Duke of Aumale have, after exercising the rights of censorship vested in them by his will, turned over to the Institute of France 187 cartons of his private correspondence and personal papers, which under the will are not to be open to inspection by scholars till 1931.

Some important manuscript losses in the field of local history were sustained by the archives of the Palais de Justice of Evreux by a fire on June 2, most of the material injured being of the revolutionary period and apparently not yet used by any investigator.

The *Revue des Deux Mondes* for September 1 contains a careful study of the late Professor Levasseur by M. Raphael-Georges Levy.

Noteworthy articles in periodicals: Lucien Romier, *La Crise Gallicane de 1551*, I. (*Revue Historique*, November–December); P. Renouvin, *L'Edit du 22 Juin 1787 et la Loi du 22 Décembre 1789* (*La Révolution Française*, XXXI. 4); Miss M. A. Pirlsford, *The Panic of 1789 in Touraine* (*English Historical Review*, October); C. Constantin, *Le Serment Constitutionnel dans le Département de la Meurthe* (*Revue des Questions Historiques*, October); F. Masson, *Les Médecins de Napoléon I. à Sainte-Hélène* (*Revue de Paris*, October 1, 15); *Gambetta's War Office in 1870–1871* (*The Edinburgh Review*, October); C. Schefer, *Albert Vandal, Historien* (*Revue des Sciences Politiques*, March–April).

### ITALY AND SPAIN

Of Professor Kehr's *Italia Pontificia*, volume V. has just been published by the Prussian Academy (Berlin, Weidmann, 1911) containing 1474 "Acta Romanorum pontificum quae ad Aemiliam sive Ravenatensium archiepiscoporum provinciam pertinent".

A third edition of Gregorovius's *Die Grabdenkmäler der Päpste: Marksteine der Geschichte des Papstthums* (earlier editions 1856 and 1880) has been issued by Brockhaus, Leipzig, with the addition of cuts of 73 such monuments. The editor, Dr. Fritz Schillmann, has left the text unchanged, but has endeavored to bring the work up to date through the notes.

M. A. Espitalier's recent work on Murat, mentioned already in these pages, has been published in an English dress by John Lane under the title *King Murat and Napoleon*.

An extended general survey of the literature of the last three years on the history of Italy in the period since 1815 is contributed by M. Georges Bourgin to the November–December number of the *Revue Historique*.

In the *Biblioteca Storica del Risorgimento Italiano* (Milan, Alb. ghi, Segali e Comp.) there has appeared as no. 9 in series VI., *Gli Avvenimenti del 1848 in Terra d'Otranto*, by M. Sav. La Sarsa.

A visit made by the King of Spain last spring to the Archives of the Indies at Seville has resulted in royal orders for concentrating in that repository all documents relating to the history of the former Spanish dominions beyond the seas, which are now to be found in other archival centres, especially Simancas and Madrid. Adequate space will be made by vacating the lower floor of the Casa Lonja, hitherto used for other purposes, and giving over the whole building to the archives. It is expected that the establishment at Seville of a school for American historical studies will follow. Señor Pedro Torres Lanzas, director of the Archives of the Indies, has recently been promoted to the grade of First Inspector of the archival force of Spain.

Spanish historical publications of the last five years are summarily reviewed by Professor G. Desdèvises du Dezert of Clermont-Ferrand in a special section of the *Revue des Questions Historiques* for October. A summary review of the sources and general works on the economic history of medieval Christian Spain, 711-1453, by P. Boissonnade, appears in the *Revue de Synthèse Historique* for August.

Mr. William Archer's *Life, Trial, and Death of Francisco Ferrer* is published in this country by Moffat, Yard, and Company.

Noteworthy articles in periodicals: P. Fedele, *Ricerche per la Storia di Roma e del Papato nel Secolo X.* (Archivio della R. Società Romana, XXXIV. 1-2); H. Otto, *Zur Italienischen Politik Johannis XXII.* (Quellen und Forschungen aus Italienischen Archiven und Bibliotheken, XIV. 1); B. Trifone, *Lettere Inedite di Benedetto XIV. al Cardinale F. Tamburini* (Archivio della R. Società Romana, XXXIV. 1-2); W. R. Thayer, *Cavour's Last Victory* (Atlantic Monthly, October).

#### GERMANY AND AUSTRIA

The twelfth annual meeting of German historians was held at Braunschweig and Hildesheim, April 17-22, with an attendance of 211. It was decided to proceed with the publication of Gengler's *Sammlung der Deutschen Stadtrechte*. The next meeting was fixed at Vienna in the autumn of 1812.

Professors Brandenburg and Seeliger's *Quellensammlung der Deutschen Geschichte*, a Teubner series of thin octavo volumes, opens with the political testaments of the Hohenzollerns, first the Hofordnung of Joachim II. and the testaments of the Great Elector (1667) and Frederick William I. (1722), secondly that of Frederick the Great (1752), together with the "Gedanken über die Regierungskunst" of Frederick William III. (1796-1797), his general memorandum on the army (1797), and instructions for the Immediatfinanzkommission of 1798. Next follow two volumes containing the essential documents of the founding of the present German Empire—letters, telegrams, and protocols of the negotiations at Versailles.

E. Felber, Berlin, has published a volume prepared by P. Sander, entitled *Urkunden zur Deutschen Territorialgeschichte*. The same publisher also issues *Quellensammlung zur Geschichte des Mittelalters und der Neuzeit*, by A. von Weissenbach, and *Urkunden zur Deutschen Agrarverfassung*, by H. Wopfner.

Band IV. of Karl Zeumer's *Quellen und Studien zur Verfassungsgeschichte des Deutschen Reiches in Mittelalter und Neuzeit* (Weimar, H. Bohlau's Nachfolger) is part 3 of Rud. Smend's *Das Reichskammergericht: Geschichte und Verfassung* (pp. xvi, 402).

The Bavarian Historical Commission has in press the first volume of Professor Gerland's *Geschichte der Physik*. The Commission does

not intend to carry the *Jahrbücher des Deutschen Reiches* beyond the Interregnum, but is planning to deal with the later period in a series of volumes of the type of Redlich's book on Rudolf of Hapsburg.

The general meeting of the Görres-Gesellschaft, held early in October at Hildesheim, showed a membership of 4300 and an expenditure during the year for scientific purposes of 74,000 marks. It was announced that there had been taken over from the German ecclesiastical college in Rome the journal *Oriens Christianus*, which would be published by the section for antiquity together with the *Studien zur Geschichte und Kultur des Altertums*. A large amount of publication and publishing projects was reported on.

Dr. Willy Jahr, late of the University of Wisconsin, has published through Weidmann, Berlin, a *Quellenlesebuch zur Kulturgeschichte des Früheren Deutschen Mittelalters* in two volumes, one being devoted to texts and the other to translations and notes. Dr. Jahr has had the advantage of Professor Karl Lamprecht's encouragement and advice.

The publication of the *Regesta Pontificum Romanorum* pertaining to Germany, undertaken in 1901 by the Göttingen Academy, has begun by the issue of the first part of a volume devoted to the dioceses of Salzburg, Gurk, Saben-Brixen, and Passau, and edited by A. Brachmann (Berlin, Weidmann, 1911, pp. vii, 265).

Professor Rudolph Sohm has issued through Duncker and Humblot of Leipzig a reprint of his *Die Frankische Reichs- und Gerichtsverfassung*, first published in 1871 and long out of print. The work is issued without revision.

Dr. Georg Steinhausen than whom no one is more competent, publishes in the *Wissenschaft und Bildung* series (Leipzig, Quelle and Meyer, pp. 160) a little book on *Kulturgeschichte der Deutschen in der Neuzeit*.

Professor O. Clemen of Zwickau has published at Zwickau (F. Ullmann) the first issue of *Handschriftenproben aus der Reformationszeit*, containing 67 facsimiles of manuscripts from the large collection of the Zwickau Ratsschulbibliothek. A second issue will follow shortly. The aim of the editor is mainly palaeographic, with the practical subsidiary purpose of aiding archivists and others to recognize and classify genuine manuscripts of the period.

B. G. Teubner, Leipzig, has published volume I. of *Quellen und Forschungen zur Geschichte des Augburgischen Glaubensbekenntnisses*, by W. Gussmann, the volume dealing with *Die Ratschläge der Evangelischen Reichsstände zum Reichstag von Augsburg, 1530*, in two parts, the second being devoted to documents (pp. viii, 545; iv, 422). There is announced a second edition, revised and enlarged, of Dr. Theodor Kolde's *Die Augburgische Konfession lateinisch und deutsch* (Gotha, Perthes).

Ergänzungsband IV. of the *Archiv für Reformationsgeschichte* is *Studien über das beginnende Eindringen der Lutherischen Bibeldübersetzung in die Deutsche Literatur*, by Dr. Holm Zerener (Leipzig, M. Heinsius' Nachfolger, 1911, pp. 108).

Professor Albert Waddington of the University of Lyons has begun the publication of an *Histoire de Prusse*, volume I. extending from the origins to the death of the Great Elector.

There was published in the early part of 1911 in the *Historisch-Politische Blätter* (January-May) a series of articles entitled "Aus den Papieren eines Bayerischen Diplomaten, 1810 bis 1813", based on the reports to his government of the Bavarian ambassador in Prussia, Baron W. H. von Hertling. They throw a good deal of light on the attitude of the Prussian government and on public opinion in Prussia.

M. Niemeyer, Halle, has published a book that should be of great utility, a *Kritische Bibliographie der Flugschriften zur Deutschen Verfassungsfrage, 1848-51*, by Paul Wentzcke.

The *Briefe Kaiser Wilhelms des Ersten*, edited by Professor Erich Brandenburg (Leipzig, Insel-Verlag) contains not only letters but also occasional documents, and is of interest quite as much with respect to the development of the prince and emperor's character as with respect to political history.

The recently deceased Heinrich von Poschinger had undertaken a *Neues Bismarck-Jahrbuch*, in continuation of the one begun by Horst Kohl and suspended with the sixth volume. The first volume of the new series (Vienna, Konegan, 1911, pp. xii, 363) contains some important material and summaries. From the same author and publisher come also volumes II. (1870-1888) and III. (1888-1898) of *Also Sprach Bismarck* (pp. xix, 491; xiv, 383).

Band XXVI. of the *Codex Diplomaticus Silesiae*, published by the Historical Society of Silesia, is Gustav Bauch's *Geschichte des Breslauer Schulwesens in der Zeit der Reformation*, a volume prepared in connection with the celebration of the centenary of the University of Breslau (Breslau, F. Hist, pp. xi, 403). In its *Darstellungen und Quellen zur Schlesischen Geschichte* the same society has published, as Bd. XIV., G. Gunzel's *Österreichische und Preussische Städteverwaltung in Schlesien während der Zeit von 1648-1889*, as illustrated in the town of Striegau.

Heft 29 of the *Abhandlungen zur Mittleren und Neueren Geschichte* (von Below, Finke, and Meinecke), is Dr. Karl Ruckstuhl's *Der Badische Liberalismus und die Verfassungskämpfe 1841-3* (pp. vii, 173).

An interesting new study of Joseph II. is Hermann Gnau's *Die Zensur unter Joseph II.* (Strassburg, Singer, 1911, pp. xvi, 313). Stern of Vienna has recently published part II. of the translation by V. von



Demelic of Paul von Mitrofanov's *Joseph II.: seine Politische und Kulturelle Tätigkeit* (pp. xxvii, 870).

A. Edlinger, Vienna, has published the first three numbers of a collection of monographs bearing the title, *1813-1815: Oesterreich in den Befreiungskriegen*, edited by Major Alois Weltze. These issues are entitled *Die Politik Metternichs*; *Die Tage von Dresden, 1813*; *Kulm, Leipzig, Hanau, 1813*.

The Tyrolese Historische Kommission des Ferdinandeums has undertaken to continue the publication of the *Acta Tirolensia* in the following divisions: Urkundenbuch, Regesten der Tirolischen Landesfürsten, Landtagsakten, Raitbücher. It is proposed to re-edit much of the material already published.

Noteworthy articles in periodicals: H. Schreuer, *Wahl und Kronung Konrads II.* (Historische Vierteljahrsschrift, XIV. 3); M. Bruckner, *Die Entstehung des Trierischen Erzkanzleramtes in Theorie und Wirklichkeit: ein Beitrag zur Geschichte der Publizistik wie auch zur Deutschen Verfassungsgeschichte des 13. und 14. Jahrhunderts* (Historisches Jahrbuch, XXXII. 1); Dr. Richard Koebner, *Die Eheauffassung des ausgehenden Deutschen Mittelalters* (Archiv für Kulturgeschichte, IX. 2); L. Cristiani, *Les Propos de Table de Luther*, I. (Revue des Questions Historiques, October); E. Daudet, *Alexandre de Humboldt et la Police Royale* (Revue des Deux Mondes, September 1); P. Bailleu, *Prinz Wilhelm von Preussen und Prinzessin Elisa Radziwill, 1817-1826* (Deutsche Rundschau, May); P. Devinat, *Le Mouvement Constitutionnel en Prusse de 1840 à 1847; Frédéric-Guillaume IV. et les Diètes Provinciales*, I., II. (Revue Historique, September-December); G. Brunnert, *Die Revolution in Erfurt im Jahre 1848* (Preussische Jahrbücher, CXLV. 3); C. Mayer, *Die Trennung der Proletarischen von der Bürgerlichen Demokratie in Deutschland, 1863-1870* (Archiv für die Geschichte der Sozialismus und der Arbeiterbewegung, II. 1).

#### NETHERLANDS AND BELGIUM

The Rijksarchief at the Hague has received a large accession of material from the archives of the factory at Desima, Japan, important for East India Company history.

The Dutch Commission on National Historical Publications expects soon to prepare the *Gedenkstukken* for 1830-1840, to issue the first volume of the letters of Constantine Huygens and of the history of the University of Leyden, and before long to issue a first volume of documents on the Levant trade.

M. Ernest Gossart has published, through H. Lamertin, of Brussels, a volume on *Espagnols et Flamands au XVI<sup>e</sup> Siècle: l'Établissement du Régime Espagnol dans les Pays-Bas et l'Insurrection* (pp. xii, 329). The author aims to deal with the epoch mainly from the point of view of the European position of the House of Hapsburg.

The Belgian Commission Royale d'Histoire has undertaken to publish the correspondence of the ministers of France accredited to Brussels, 1780-1790, to be edited by Professor Eugène Hubert of Liège, and a collection of memoirs and documents on the Belgian revolution of 1830, to be edited by Baron Camille Buffin.

Noteworthy articles in periodicals: H. Pirenne, *Liberté et Propriété en Flandre du VII<sup>e</sup> au XI<sup>e</sup> Siècle* (Bulletin de la Société d'Histoire et d'Archéologie de Gand, 1911, 2).

#### NORTHERN AND EASTERN EUROPE

Duncker and Humblot of Leipzig have recently published in German translations a good deal of invaluable material for the following of the contest between the Russian administration and Finland. There is included a report of the proceedings of the international congress of jurisconsults in London which reviewed the controversy; this gives the constitutional material laid by the Finns before the gathering.

The late Professor Karl Krumbacher, founder of the *Byzantinische Zeitschrift*, has bequeathed his library to the Greek (later) Seminar of the University of Munich.

Noteworthy articles in periodicals: A. Andréadès, *Les Finances Byzantines*; I. (Revue des Sciences Politiques, March-April); L. Bril, *Les Premiers Temps du Christianisme en Suède, Étude Critique des Sources Littéraires Hambourgeoises*, III. (Revue d'Histoire Ecclésiastique, October); G. Guillot, *Leopold I<sup>er</sup>, les Hongrois, les Turcs, le Siège de Vienne, Papiers Diplomatiques Inédits* (Revue d'Histoire Diplomatique, XXV. 3).

#### THE FAR EAST AND INDIA

The firm of John Murray is about to publish *An Account of my Life*, by Her Highness the Begam of Bhopal, in which the ruler of that state presents both a personal autobiography and a history of Bhopal during the period of her reign. The narrative, written by herself in Urdu, has been translated into English by Mr. C. H. Payne, educational adviser to the Begam.

Mr. Lovat Fraser's *India under Curzon and After*, already in its second impression, is an important contribution to the most recent period of the history of India.

#### AMERICA

##### GENERAL ITEMS

Professor Learned's *Guide to the Manuscript Materials relating to American History in the German State Archives*, to be published by the Carnegie Institution of Washington, has been read in page-proof and

awaits only the completion of the index. Of Professor Bolton's Mexican Guide, a considerable portion has been read in galley-proof. Professor Andrews's *Guide to the Materials for American History, to 1783, in the Public Record Office*, has been completed in manuscript and sent to the printer, so far as concerns volume I., which deals with the various collections known as State Papers, and especially with the Colonial Office Papers. The volume for the period subsequent to 1783, by Messrs. Paxson and Paullin, awaits its completion to 1860 at the hands of Mr. David W. Parker, who terminated early in December his work for that purpose in London. Miss Davenport's work with respect to treaties is now being conducted in Paris. Mr. Leland has returned to Washington, having substantially completed the collecting of notes for his *Guide to the Materials for American History in the Archives of Paris*.

The Eighteenth International Congress of Americanists will be held in London from May 27 to June 1, 1912, under the presidency of Sir Clements R. Markham. The proceedings will, as usual, relate to the aboriginal races of America, its monuments and archaeology, and the history of the discovery and occupation of the New World. Information may be had from the secretary, F. C. A. Sarg, Esq., Royal Anthropological Institute, 50 Great Russell Street, London, W. C.

In the *Revue des Questions Historiques* for October Mr. L. Didier gives an interesting and valuable account for French readers of American historical progress during the last two or three years, with copious notes on books, especially in Catholic church history.

Houghton Mifflin Company have brought out a new edition of John Fiske's *American Political Ideas*, to which has been added "The Story of a New England Town", a lecture delivered by Dr. Fiske at Middletown, Connecticut, in 1900. A distinguishing feature of this edition is an introduction of seventy-five pages by Mr. John Spencer Clark. After a long discussion of the style of these lectures, Mr. Clark gives an interesting account of how they came to be delivered before the Royal Institution of Great Britain and of the notable enthusiasm with which they were received. This story is told largely through Dr. Fiske's letters to Mrs. Fiske. Mr. Clark also relates a conversation in which Dr. Fiske, shortly before his death, outlined the lecture which he planned to deliver at the King Alfred celebration in September, 1901, a lecture which was never written out. The historical part of the introduction will without doubt lend an added interest to the lectures. "The Story of a New England Town" becomes, in Dr. Fiske's hands, a survey of the salient facts of New England's history.

Houghton Mifflin Company have also issued volume II. of A. Maurice Low's *The American People: a Study in National Psychology*.

In the heading to our notice of volume I. of *The Letters of Richard Henry Lee* in our last number (p. 164), the fact should have been

mentioned, as noted on the reverse of the title-page of the book, that the book was published under the auspices and at the expense of the National Society of the Colonial Dames of America, to whose generosity and to whose committee on historical research we are already indebted for Miss Kimball's *Correspondence of William Pitt*. The society next proposes to issue two volumes of the correspondence of Governor William Shirley, derived by wide search from various repositories in England and America, and edited by the competent hands of Dr. Charles H. Lincoln.

Any persons having any original letters, documents, papers, or manuscripts relating to Judge Richard Henderson or to the Transylvania Company, of which he was president, or knowing of the whereabouts of such, are requested to communicate with Professor Archibald Henderson, University of North Carolina, Chapel Hill, N. C., who intends to prepare a biography of Richard Henderson.

In the series of volumes published by the National Monetary Commission, besides those heretofore mentioned in these pages, a volume interesting to historical students has lately been issued, comprising the *Financial Laws of the United States, 1778-1909* (61st Cong., second sess., Senate Doc. 580).

Mr. Ellis Paxson Oberholtzer's *Referendum in America* has been greatly enlarged by the author, and, bearing the enlarged title *The Referendum, Initiative, and Recall in America*, has been published in a new edition by Messrs. Charles Scribner's Sons.

The Division of Maps in the Library of Congress is preparing for publication, in a volume of considerable size, a *Descriptive List of Maps of the Spanish Possessions within the Present Limits of the United States*, collected by the late Mr. Woodbury Lowery.

The *Proceedings* of the American Antiquarian Society, volume XXI., part 1, includes a paper by Mr. William Nelson concerning "Some New Jersey Printers and Printing in the Eighteenth Century", a discourse by Mr. Andrew McFarland Davis on the subject "The Shays Rebellion a Political Aftermath", and an illustrated discussion by Mr. Alfred M. Tozzer of the Value of ancient Mexican Manuscripts in the Study of the General Development of Writing. "The Hull-Eaton Correspondence during the Expedition against Tripoli, 1804-1805", edited from a letter-book in the library of the society by Dr. C. H. Lincoln, is a calendar of thirty-six letters between William Eaton and Isaac Hull, together with the full text of nine of the letters.

The September issue of *Americana* includes an article by Lindsay Rogers on French Opinion of the American Civil War and one by Delia A. McCulloch entitled "Forts along the Ohio". Brigham H. Roberts's History of the Mormon Church continues.

In the *Magazine of History* for July M. A. Candler writes of the beginnings of slavery in Georgia. In the August number the same writer gives an account of the Quakers of Wrightsborough, Georgia; Professor George H. Haynes offers the first part of a sketch of Charles Sumner, and W. B. Ruggles begins "The Story of a Regiment: the Second Dragoons". James N. Arnold continues his extracts from the *Providence Gazette* (1778-1780).

The *German American Annals* publishes, in the May-August number, an address entitled "Die Deutschen Indianas im Kriege für die Union", delivered by Dr. W. A. Fritsch in Evansville in September. Charlotte S. J. Epping's translation of the journal of Du Roi the Elder, lieutenant and adjutant in the service of the Duke of Brunswick, 1776-1777, which was begun in the January issue of the *Annals*, is continued through this number and that for September-December.

The *American Catholic Historical Researches* for October prints from the papers of the Continental Congress a report which Colonel John Allan, commissioner to the Indians in the east, sent on April 2, 1777, to President John Hancock of the Continental Congress. The report is concerned in part with the project for the conquest of Nova Scotia. There are also in this number of the *Researches* three letters of Allan to Hancock in 1781.

A subcommittee on publication has printed and distributed, in a small edition of 250 copies, volume I. of the *Archives of the General Convention* of the Protestant Episcopal Church in America, comprising, after an account of the archives of the church, the correspondence of Bishop John Henry Hobart, 1757-1797, edited by Rev. Dr. Arthur Lowndes. No part of the edition is for sale, but copies have been given to each diocese of this church and to the principal libraries and learned institutions of the United States, Canada, and Great Britain.

The librarian of the General Theological Seminary, Mr. Edward H. Virgin, has been devoting special effort to the accumulation in the seminary's library of biographical material upon the lives of American clergymen, a collection which has now assumed dimensions so large as to make it of considerable value to historical students.

The *American Jewish Year Book*, for the year 1911-1912, edited for the American Jewish Committee by Herbert Friedenwald (Philadelphia, Jewish Publication Society of America), contains a valuable article on the passport question, discussing fully the Russian treaty of 1832.

A volume of *American Addresses*, by Joseph H. Choate, has come from the press of the Century Company. The volume includes addresses delivered as early as 1864 and as late as 1911.

In order to preserve from defacement the inscriptions on what is called Inscription Rock at El Morro in western New Mexico a joint

expedition of the Bureau of American Ethnology and of the School of American Archaeology at Santa Fé has taken squeezes of more than twenty of the inscriptions on this national monument. The inscriptions begin with one of 1606 by Juan de Oñate. Casts will be preserved at the National Museum in Washington and elsewhere.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The Hakluyt Society has lately issued *Early Spanish Voyages to the Strait of Magellan*, translated and edited by Sir Clements Markham. This volume contains an account of the Loaysa expedition, written by Andres de Urdaneta, and of the voyage of Saavedra to ascertain the fate of the Loaysa expedition. There are also accounts of the fate of Alcazaba and of the expedition of Alonso de Camargo in 1540. The last chapter narrates the voyage of the brothers Nodal who were the first to circumnavigate Tierra del Fuego.

*A History of the American Bar, Colonial and Federal, to the Year 1860*, by Charles Warren, has been published by Little, Brown, and Company. The book describes legal conditions in the seventeenth and eighteenth centuries, sets forth the growth of the American bar since the formation of the Constitution, and contains chapters on the development of corporation and railroad law and the expansion of the common law.

In a monograph entitled *Colonial Opposition to Imperial Authority during the French and Indian War* (University of California Publications in History, vol. I., no. 1., pp. 98) Professor Eugene Irving McCormac has made a useful and suggestive study of an important phase of constitutional development within the colonies during a period in which colonial assertion of rights (or should one say privileges?) was particularly active. Most of the anti-imperial and independent ideas which manifested themselves between 1765 and 1776 had already, Professor McCormac maintains, become crystallized during the preceding period through the controversies of the various assemblies with their governors. Such a study is helpful toward a fuller comprehension of the colonial revolt which came some years later.

The *Bulletin* of the New York Public Library for September prints a letter of Nathanael Greene to Samuel Adams, May 28, 1777, discussing the "Fabian" campaign of Washington.

Mrs. Danske Dandridge has in preparation a volume on St. Clair's Campaign of 1791, based partly on fresh manuscript material, including the orderly-book of Major George M. Bedinger.

*Statesmen of the Old South: or, from Radicalism to Conservative Revolt*, by Professor William E. Dodd, has been published by Macmillan. The statesmen chiefly studied are Jefferson, Calhoun, and Davis.

The Arthur H. Clark Company have brought out the *Personal Narrative of Travels in Virginia, Maryland, Pennsylvania, Ohio, Indiana, Kentucky; and of a Residence in the Illinois Territory, 1817-1818*, by Elias Pym Fordham. Fordham was a young Englishman who assisted Morris Birkbeck in establishing his Illinois settlement, travelled extensively, and carefully observed topographical, industrial, and social conditions. The narrative is of especial interest for local history. Professor Frederic A. Ogg furnishes an introduction and extensive annotations.

A recent Berlin doctoral dissertation, of more than usual importance and interest for American readers, is Dr. Georg Heinz's *Die Beziehungen zwischen Russland, England und Nordamerika im Jahre 1823: Beiträge zur Genesis der Monroedoktrin* (Berlin, Ebering, 1911, pp. 121).

Moffat, Yard, and Company have brought out in their series "American History in Literature" *Noted Speeches of Abraham Lincoln: including the Lincoln-Douglas Debate*, edited, with biographical sketches, by Lillian M. Briggs.

*The Diary of Gideon Welles, Secretary of the Navy under Lincoln and Johnson*, in three volumes, with an introduction by John T. Morse, jr., has come from the press of Houghton Mifflin Company.

A book which will doubtless prove to be of value for its treatment of an important phase of our Civil War history has recently appeared in Munich (R. Oldenbourg). Its title is *Die Deutschen im Amerikanischen Bürgerkriege*, and its author is Wilhelm Kaufmann.

*Lee's Invasion of Northwest Virginia in 1861* (pp. 164), by G. D. Hall, has been published in Glencoe, Illinois, by A. C. Hall.

Volume XXIV. of the first series of *Official Records of the Union and Confederate Navies in the War of the Rebellion* (pp. xvi, 803), edited by Mr. Charles W. Stewart, has appeared.

*The Truth about Chickamauga*, by Archibald Gracie, is a study of the battle from the point of view of the Federal soldier, based on official records and the recollections of survivors.

Mr. Frederick Trevor Hill has brought out through Appleton *On the Trail of Grant and Lee*, a book constructed on somewhat the same lines as the author's *On the Trail of Washington*.

General M. P. Chipman, now presiding justice of the Third District Court of Appeal in California, who presided at the trial of Henry Wirz, keeper of Andersonville prison, has published his remembrances of the trial, supported by documentary and other data, and with them a general history of the prison itself, under the title *The Tragedy of Andersonville* (Sacramento, 1911, pp. 311).

*Ebenezer Rockwood Hoar: a Memoir*, by Moorfield Storey and Edward W. Emerson (Houghton Mifflin Company), possesses historical value for the light it throws upon the period succeeding the Civil War.



A volume possessing considerable interest for the early history of railroad construction and policy is Henry G. Pearson's *An American Railroad Builder: John Murray Forbes*, which has just been published by Houghton Mifflin Company. Forbes was sometime president of the Michigan Central Railroad and also of the Chicago, Burlington, and Quincy.

*The Greenback Movement of 1875-1884 and Wisconsin's Part in it*, by Ellis B. Usher (Milwaukee, Ellis B. Usher, 1911, pp. 92) is essentially a study of the movement in Wisconsin as led by Edward P. Allis. The pamphlet contains much original material, such as speeches, resolutions, platforms, and newspaper comment, including Steele's pamphlet *The Currency Question* (1876). Studies thus limited in scope are very helpful toward a better comprehension of the national movement.

The Government Printing Office has now issued volumes XXIX.-XXXII. of the *Executive Journals of the Senate*, covering the period August, 1893, to March, 1901.

*As I remember: Recollections of American Society during the Nineteenth Century*, by Mrs. Marian Campbell Gouverneur, has been brought out by Appleton. The recollections centre about New York and Washington in the ante-bellum and Civil War periods.

*The Tariff in our Times: a Study of Fifty Years' Experience with the Doctrine of Protection*, by Miss Ida M. Tarbell, has been published by Macmillan.

Harper and Brothers have published the recollections of General Nelson A. Miles under the title *Serving the Republic: Memoirs of Civil and Military Life*.

It is understood that the fourth volume of Mr. John Bigelow's *Retrospections of an Active Life* is ready for the press and that the fifth volume is approaching completion. It is expected that these volumes will reveal much of political and diplomatic history of the last thirty years.

*Random Recollections of an Old Political Reporter*, by William C. Hudson, comes from the press of Cupples and Leon Company. The writer of these recollections was for more than forty years a staff writer on the *Brooklyn Daily Eagle*. St. Clair McKelway writes an introduction to the book.

Colonel W. H. Crook has brought out through Little, Brown, and Company his *Memoirs of the White House*.

Charles Scribner's Sons have brought out *Memoirs of Two Wars: Cuban and Philippine Experiences*, by Brigadier-General Frederick Funston.

## LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Mr. Willard H. Schoff is publishing in the *Pennsylvania-German* (July, September) a series of papers on German Immigration into Colonial New England.

The October serial of the *Proceedings* of the Massachusetts Historical Society contains a group of five letters on American prisoners in England during the Revolution; the November issue an interesting body of material respecting the Trent affair.

The Rhode Island Historical Society has in preparation the letters and papers of Gabriel Bernon, which will be issued as a volume of the society's *Collections*. The volume will include not only the Bernon papers in the possession of the society but also those in the collection of the late Mr. William D. Ely of Providence.

*A Corner Stone of Colonial Commerce*, by John A. Stoughton (Little, Brown, and Company), is an historical monograph on the "seed leaf" tobacco region of Connecticut. The book includes facsimiles of old records, letters, etc.

The State Historian of New York has published (Albany, 1911, pp. xcvi, 371) the first part, A-F, of a very minute and elaborate, and apparently excellent, *Analytical Index* to the eight published volumes of the *Public Papers of George Clinton*.

A book that should prove to be interesting and possibly of historical interest is Stephen Jenkins's *The Greatest Street in the World: the Story of Broadway, Old and New, from Bowling Green to Albany* (Putnam).

The New Jersey Historical Society has recently been presented with the orderly-book of Lieutenant John Speer of the New Jersey Militia, 1779-1780. It has also acquired a considerable quantity of papers of Andrew Bell, who during the closing years of the eighteenth century held the position of collector of the port of Perth Amboy, and was also secretary of the Board of Proprietors of East Jersey. This collection comprises a large number of original surveys and returns, correspondence, etc. The society has caused to be built on ground adjoining its library a capacious fire-proof and damp-proof vault for the storage and preservation of its manuscripts and rarer books.

The Historical Society of Pennsylvania has since October received accessions of manuscripts amounting to 3500 pieces and comprising letters of officers of the Revolution and War of 1812, of financiers, of poets, and correspondence of local firms.

The *Pennsylvania Magazine of History and Biography* prints in the October number a series of interesting letters of William Franklin to William Strahan. The letters are scattered through the years 1763 to

1782 and are of considerable value for the history of the personal and political career of William Franklin. They are edited with introduction and notes by Charles Henry Hart. In this issue of the *Magazine* are also five letters selected by Miss J. C. Wylie from among the Logan papers in the Historical Society of Pennsylvania. Three of these are to John Dickinson, from Thomas Cadwalader, Charles Thomson, and Benjamin Rush, respectively. That of Charles Thomson (August 16, 1776) is of particular interest. Colonel Henry Bicker's orderly-book of the Second Pennsylvania Continental line, edited by John W. Jordan, is continued. The period covered by this installment is March 30 to April 15, 1778.

Mr. W. U. Hensel has brought out a volume upon *The Christiana Riot and the Treason Trials of 1851* (Lancaster, Pennsylvania, C. H. Barr, pp. vi, 158). The book gives a circumstantial account of the riot which took place at Christiana, Pennsylvania, in September, 1851, in resistance to the arrest of some fugitive slaves, and of the consequent trials of some of the persons concerned.

The Maryland Historical Society has brought out, under the editorship of Dr. William Hand Browne, volume XXXI. of the *Archives of Maryland*. The volume includes the proceedings of the council of Maryland, August 10, 1753, to March 20, 1761, and letters to Governor Horatio Sharpe, 1754-1765.

In a paper entitled "A Maryland Merchant and his Friends in 1750", in the September issue of the *Maryland Historical Magazine*, Mr. Lawrence C. Wroth relates some interesting facts in the career of Thomas Bacon, and incidentally of Robert Morris, father of the financier of the Revolution. Under the caption "Stamp Act Papers" appear two letters of Charles Garth, written from London in February and March, 1766, reporting at some length upon the attitude of the British Parliament. Other documents in the *Magazine* are a letter of Thomas Bacon to the vestry of All Saints Parish, July 14, 1761, and some letters of Governor Hicks in 1859 relating to the John Brown raid.

*History of Frederick County, Maryland*, by T. J. C. Williams, with continuation (from 1861) by Folger McKinsey, has been published in Frederick by L. R. Tittsworth and Company.

Volume 14 of the *Records of the Columbia Historical Society* (Washington, 1911, pp. 238) is chiefly biographical in its contents. Mr. Allen C. Clark contributes an account of Captain William Mayne Duncanson, an early land-speculator in the District of Columbia; Mr. Thomas F. Nelson prints and annotates a long letter of 1842 respecting Washington, by David Cooke; Dr. William Tindall contributes a brief sketch of Governor Alexander R. Shepherd, Mr. Michael I. Weller a longer life of Commodore Joshua Barney; Hon. John W. Foster writes of Maximilian and his Empire.

The Neale Publishing Company have brought out *Historic Southern Monuments*, compiled by Mrs. B. A. C. Emerson. There are approximately 200 representative Confederate monuments described and illustrated. The illustrations are usually good.

The *Virginia Magazine of History and Biography* prints in its October issue an installment of the minutes of the council and General Court, 1622-1624, from the originals in the Library of Congress, and a bibliography of muster and pay rolls, regimental histories, etc. Among the continued articles attention is called to the following items: the instructions to Lord Howard of Effingham, February 27, 1688 (from the Randolph manuscript); a letter of Thomas Ludwell to Lord Arlington (April 29, 1670), touching among other things the subject of indented servants; a letter of John Page to William Lee, December 2, 1777; and a letter of William Aylett (1777) to the governor of South Carolina relative to a purchase of indigo.

The *William and Mary College Quarterly* for October prints an extract (33 pages) from the diary of Edward Ruffin, wherein it is mentioned by the diarist that he fired the first shot at Fort Sumter. The *Quarterly* prints a number of original letters, of which four are to Thomas W. Gilmer, for a brief period secretary of the navy. One of these (January 31, 1843) is from Levi Jones, member of the Texas Congress, and relates to the question of annexation; another (October 30, 1843) is from James Buchanan and concerns the political situation; and another (February 22, 1844) is from Commodore Kennon and contains suggestions for a reorganization of the navy. Among the other documents in this number are some Revolutionary proceedings in Northumberland County, 1765, 1776-1778, and some extracts from the records of Lancaster County (1652).

Volume X., no. 1, of *The James Sprunt Historical Publications* (pp. 42), published under the direction of the North Carolina Historical Society, is devoted to the records in the case of Professor B. S. Hedrick, who was dismissed from a professorship in the University of North Carolina in 1856 because of his political attitude. The record consists of several newspaper extracts, principally from the *North Carolina Standard*, edited by W. W. Holden, afterward provisional governor of North Carolina; Hedrick's "Defence" and his letters relating to the affair; and sundry letters which passed between the university authorities. The documents in the case reveal most effectively the state of the public mind in North Carolina at the time. The editor of the volume is Professor J. G. de R. Hamilton. Volume X., no. 2, of the same publication comprises a group of letters, 1819-1828, to Bartlett Yancey, preceded by two biographical sketches of Yancey, one by George A. Anderson; the other by Professor Hamilton. Yancey was a member of Congress from 1813 to 1817, served in the senate of North Carolina from 1817 to 1827, was largely instrumental in establishing the

system of public education in his state, and withal was noted as a lawyer. He died in 1828 at the age of forty-three. The letters here printed (from the collection of the North Carolina Historical Society) are from such men as William Gaston, Thomas Ruffin, Romulus M. Saunders, A. H. Shepperd, Lewis Williams, Nathaniel Macon, Willie P. Mangum, and John C. Calhoun. There is much in them pertaining to both state and national politics.

By authority of the trustees of the public libraries of North Carolina a reprint of Dr. John Brickell's rare *Natural History of North Carolina, with an Account of the Trade, Manners, and Customs of the Christian and Indian Inhabitants*, has been brought out, essentially in its original form (Dublin, 1737), with an introduction by Mr. J. Bryan Grimes.

*Abstract of North Carolina Wills compiled from original and recorded Wills in the Office of the Secretary of State*, by J. Bryan Grimes, secretary of state, has been published under the authority of the trustees of the public libraries (Raleigh, Uzzell, 1910, pp. vii, 670). The period covered by the volume is 1663 to 1768. The names of testators are arranged for the most part in alphabetical order, although there are occasional slips, as, for example, when Lilly is placed before Lilley, and Rhodes before Rhoads. There is an index (pp. 210) to all names, wherein also the alphabet has met with an occasional accident. In the appendix, which indexes the several will-books separately, what happens to the alphabet cannot be regarded as accidental, for, except as to initial letters, no effort has been made to place the names in an alphabetical order. It would seem to be altogether unnecessary, after giving in the heading the date covered by the will-book, to repeat these figures after every name.

*My Memoirs of Georgia Politics*, by Mrs. W. H. Felton, has been published in Atlanta by A. B. Caldwell. These are essentially the memoirs of Mrs. Felton's husband, Judge Felton, who for many years, beginning about 1874, took an important part in Georgia politics.

There has come to us a small volume entitled *Footsteps of the Flock; or, Origins of the Louisiana Baptists* (vol. II., second edition, part I., "South Louisiana Baptists"), by Rev. Ivan M. Wise. The author indicates in his introduction that he has planned a series of histories of Louisiana Baptists, of which volume I. (yet to be written) will be concerned with the Baptists of East Louisiana. The author has gathered much material for the history of the denomination in Louisiana, but has sent it forth too nearly in the form in which he made his notes. He points (in the body of the text) to the printed sources of information but seldom to the other sources which he has largely used. A militant tone resounds through the work.

The legislature of Texas recently made provision for an archivist, and Miss Elizabeth H. West, for some years connected with the division of

manuscripts in the Library of Congress, was elected to the position. The legislature also made an appropriation to the library commission for printing a volume of the Texas archives.

The Baker and Taylor Company have published *The Annexation of Texas*, by Professor Justin H. Smith.

The principal paper in the October number of the *Quarterly of the Texas State Historical Association* is "The Revolt of the Pueblo Indians of New Mexico in 1680", by Charles W. Hackett. This paper is a part of a larger monograph which the author purposes preparing from the extensive new materials recently discovered by Professor Bolton in the archives of Mexico. Mr. E. W. Winkler writes concerning the Destruction of Historical Archives of Texas, discussing the burning of the treasurer's office in 1845 and that of the adjutant-general in 1855. A letter of W. C. Swearingen, written April 23, 1836, gives an account of the San Jacinto campaign. The *Quarterly* will begin in January the publication of the letters of William Kennedy and Captain Charles Elliot to the British government during 1842-1845. Elliot was chargé d'affaires of Great Britain and Kennedy was a semi-official agent of Lord Aberdeen. The letters will be edited by Professor E. D. Adams.

The correspondence of Thomas Sloo, jr., printed in the April-June issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* (see the October number of this journal, p. 229) bore mainly upon commercial matters in the West in the early years of the nineteenth century; the letters which appear in the July-September issue of that publication are largely concerned with politics, local and national, although the letters give evidence that business and politics really kept in close touch with each other. All but two of the letters were written during the years 1821 to 1827, and most of them are addressed to Sloo. The letters are efficiently edited by Professor I. J. Cox.

Major George W. Rue tells in the October number of the *Ohio Archaeological and Historical Quarterly* how he captured General John H. Morgan; Leslie S. Henshaw gives a descriptive account of early steamboat travel on the Ohio River; and Charles B. Galbraith writes of "The Battle of Lake Erie in Ballad and History".

Indianapolis and the Civil War (*Indiana Historical Society Publications*, vol. IV., no. 9, pp. 525-595), by John H. Holliday, includes, besides an account of the more noteworthy phases and events of the city's history during the period of the Civil War, a chapter descriptive of the early growth of Indianapolis and another concerning the political and religious atmosphere of the Indiana capitol in the ante-bellum period. Volume V., no. 1, of the society's *Publications*, is Lincoln's Body Guard: the Union Light Guard of Ohio; with some personal Recollections of Abraham Lincoln (pp. 39), by Robert McBride. The writer's attitude

toward his recollections is modest, yet the incidents which he records are of real interest.

In the *Indiana Quarterly Magazine of History* for September is a paper by J. P. Dunn on the Proposed Constitution of Indiana, in which the question is discussed from an historical point of view. The same author writes of "Indiana's Part in the Making of the Story of *Uncle Tom's Cabin*". The *Magazine* prints two letters of Salmon P. Chase to Joshua R. Giddings (1842 and 1843), one of Henry Clay to Giddings (1844), and one of Henry George to George W. Julian (1879).

The *Transactions of the Illinois State Historical Society* for the year 1909 (Publication no. 4 of the Illinois State Historical Library) has appeared. The volume contains a record of official proceedings of the society, the papers read at the annual meeting, 1909, contributions to state history, and documents. Among the papers in the volume are: "Efforts to divorce Judicial Elections from Politics in Illinois", by Oliver A. Harker; "How Mr. Lincoln received the News of his first Nomination", by C. L. Conkling; "The Senator from Illinois: some famous Political Combats", by J. M. Davis; "Augustin Mottin de la Balme", by Clarence M. Burton; "The Sieurs de St. Ange", by Walter B. Douglas; "Detroit the Key to the West during the American Revolution", by James A. James; and "The Latin Immigration in Illinois", by B. A. Beinlich. A document of considerable interest is the diary (August 7, 1861, to September 19, 1863) of Edward W. Crippin, a private of the 27th Illinois Volunteers in the Civil War. The diary is edited with introduction and notes by Robert J. Kerner.

Among the contents of the October number of the *Journal of the Illinois State Historical Society* are a biographical sketch of Hooper Warren, spoken of as "the father of journalism in Illinois", by Frank E. Stevens; "Early Religious Beginnings in Illinois", by Rev. R. F. Thrapp; and "The Rev. Simon Peter and the Quarterly Conference: Records of the Salt Creek Circuit of the M. E. Church", by Rev. W. N. McElroy. The department of reprints comprises fifteen pages of extracts relating principally to educational conditions in Illinois in the thirties and fifties.

In commemoration of the fortieth anniversary of the great Chicago fire of October 9, 1871, the Chicago Historical Society has had on exhibition a collection of pictures and relics illustrative of the fire and of the various stages of Chicago's civic development from the frontier village of 1833 to the metropolis of 1871.

The *Register of the Kentucky State Historical Society* for September contains a brief paper by S. M. Wilson on Kentucky's Part in the War of 1812, and prints a letter of Samuel R. Overton, written from Cincinnati September 4, 1812, relating to the war.



The Arthur H. Clark Company have brought out *Old Times on the Upper Mississippi: the Recollections of a Steamboat Pilot from 1854 to 1863*, by George Byron Merrick. The work describes life and industrial conditions on the upper Mississippi during the period, includes a statistical record of the steamboats which plied on the river, and gives an account of the events connected with the opening of Minnesota to settlement. The book is illustrated with portraits, maps, and facsimiles.

The Minnesota Historical Society published in September a quarto report of 761 pages, entitled *The Aborigines of Minnesota*. It treats very fully of the Indian tribes and mounds of the state, and is illustrated by about 500 maps and plates of groups of mounds surveyed in Minnesota, besides many portraits of the Sioux and Ojibways and many illustrations of the stone, copper, and bone implements found in the mounds or of recent use by these tribes. The work was begun by the late Alfred J. Hill, Hon. J. V. Brower, and I. H. Lewis, whose collections and field notes have been classified and prepared for this publication by Professor N. H. Winchell, the former state geologist.

Mr. Jacob Van der Zee contributes to the October number of the *Iowa Journal of History and Politics* a translation (pp. 47) of a pamphlet written in the Dutch language in 1848 and printed in Amsterdam, describing the settlement, in the year preceding, of a group of Hollanders at Pella, Iowa. The writer of the pamphlet was H. P. Scholte, minister and leader of the group, and the title which he gave to his narrative was *Eene Stem uit Pella*. Mr. Clifford Powell contributes to the same number of the *Journal* a history (pp. 35) of the codes of Iowa law.

The Torch Press has brought out as no. 2 of its "Little Histories of North American Indians", *The Iowa*, "a reprint from *The Indian Record*, as originally published and edited by Thomas Foster, with introduction, and elucidations through the text", by William Harvey Miner. The numbers of Foster's *Indian Record and Historical Data* (a short-lived publication) here reproduced were published in Washington in 1876. The elucidations and corrections made by the editor, who is himself a descendant of the Quinapiac Indians of New England, occupy almost as much space as the original text and bring to bear upon the subject the most recent scholarship. The editor contributes also several appendixes, one of which describes the Iowa camping circle, another contains the several treaties between the Iowa and the United States, 1815-1861, and another comprises an "Iowa Synonymy".

Volume III., no. 3 (1911), of the *Missouri Historical Society Collections* opens with an article by Hon. Gustavus A. Fenkelburg entitled "Under Three Flags, or the Story of St. Louis briefly told". Judge Walter B. Douglas presents part 1. of a history of Manuel Lisa, a noted trader of St. Louis at the beginning of the nineteenth century. Bearing the title "The Spanish Forts at the Mouth of the Missouri River" is an account of the delivery of the fort of San Carlos Principe de Asturias

and the block house of Carlos Tercero, in 1769, a document drawn from the Archives of the Indies at Seville. Another document (from the Vallé collection in the society's possession) is a letter of Don Manuel Perez to the people of St. Genevieve, 1791. The Recollections of an Old Actor (a continuation), by Charles A. Krone, possess genuine interest, and for their bearing upon social and intellectual conditions in the fifties, are not without historical value.

The Missouri Historical Society has come into possession of a large collection of papers, the gift of the late Captain Francis Vallé, and of the papers of the late Dr. David Waldo, the gift of Mrs. W. M. Sloan of Kansas City. The Vallé papers include letters of nearly all the Spanish governors, besides many other documents of value, both public and private. The Waldo papers, which pertain to the period 1832-1860, are for the most part private but cast much incidental light on the history of the times.

In its issue of January, 1910, the *Missouri Historical Review* printed the journal of Captain William Becknell of a trip from Franklin to Santa Fé made in 1821. In the issue of October, 1911, is reprinted from the *Missouri Intelligencer* of September 2, 1825, the journal of M. M. Marmaduke of a similar expedition made in 1824. Notes on the journal are furnished by F. A. Sampson. The same writer gives brief accounts of some "Cities that were promised" in Missouri.

The third volume of the publications of the Arkansas Historical Association is just off the press, and the officers are now at work on the material for the fourth volume. This number will contain articles on "The Constitutional Convention of 1874", "Revolutionary Soldiers Buried in Arkansas", and "The Little Rock Conference".

Silver, Burdett, and Company have brought out in their "Stories of the States" series *Makers of Arkansas History*, by Professor J. H. Reynolds.

The Oklahoma Historical Society has come into possession of twelve numbers of the *New Echota Phoenix* of the year 1828. The paper was the official organ of the Cherokee nation in Georgia and was edited by Elias Boudinot, himself a Cherokee. It is printed in Cherokee and English.

The School of American Archaeology at Santa Fé, having acquired as its home the old palace of the governors, built in the early years of the seventeenth century, has restored it into an excellent example of early Spanish-American architecture, with important historic frescoes. Last summer's session of the school was marked by courses in ethnology and in classical, Oriental, and American archaeology. The latter portion of the school period was occupied with observations of excavating work in progress at Rito de los Frijoles. In conjunction with the Bureau of American Ethnology the school has explored the ruins of the ancient pueblos of Amoxiumqué near Albuquerque.

*The Quarterly of the Oregon Historical Society* for June contains the third installment of Mr. W. C. Woodward's *Rise and Early History of Political Parties in Oregon* which includes a chapter on the Kansas-Nebraska Bill in Oregon politics and another treating of the national issue as it affected Oregon politics in 1857. In the same number of the *Quarterly* Professor F. G. Young offers the earlier chapters of a *History of Railway Transportation to the Pacific Northwest*. These chapters relate the history briefly to the year 1850.

*An Army Officer on Leave in Japan*, by L. M. Maus, is essentially a travel book but contains an account of the Philippine insurrection in 1896-1897 and of the battle of Manila Bay (Chicago, McClurg).

*The Precursors of Jacques Cartier, 1497-1534*, edited with a helpful introduction by H. P. Biggar, has been issued by the Canadian government as no. 5 of its series of publications of the Canadian archives (Ottawa, Government Printing Bureau). The principal documents of Canadian history for the period are here brought together, printed in the original Latin, Italian, Spanish, Portuguese, and French, followed by translations of all except those in French. Although most of these documents have already been printed the assembling of them in a single volume will be of great help to historical investigators.

George Cartwright's *Journal of Transactions and Events during a Residence of nearly sixteen Years on the Coast of Labrador*, in three volumes, was published in Newark in 1792. The increased interest in what pertains to Labrador, added to the inherent interest of the journal itself, has made its republication worth while. The reprint, bearing the title *Captain Cartwright and his Labrador Journal*, is from the press of Dana Estes and Company and is edited by C. W. Townsend, with an introduction by Sir W. T. Grenfell.

The departments of history and of political and economic science of Queen's University, Kingston, Ontario, Canada, have inaugurated a quarterly *Bulletin*, which will be published first in the *Queen's Quarterly*, then issued separately in bulletin form. The bulletins will embody the result of original work and will be issued by the two departments alternately. The first of these bulletins is a study (pp. 16) of the colonial policy of Chatham, by Professor W. L. Grant.

Volume IV. of the *Transactions* of the Women's Canadian Historical Society of Ottawa contains a sketch, by Mrs. Donald H. McLean, of Sir James McPherson Le Moine, one time president of the Royal Society of Canada, and "Some Facts concerning Trinity Church of St. Johns, New Brunswick, and the Struggles of its Congregation", by Miss Carolina Hill. The last mentioned article is essentially a chapter in the history of the United Empire Loyalists.

Volume III. of the *Papers and Records* of the Lennox and Addington Historical Society (Napanee, Ontario) is occupied with sundry papers

of the late Thomas W. Casey, a local historian. Several of these papers relate to early explorations and discoveries, particularly to those of Champlain.

Dr. C. L. G. Anderson, of 918 Eighteenth Street, N. W., Washington, D. C., intends to publish in January a book written by him under the title *Old Panama and Castilla del Oro*, a narrative history of Spanish discovery, conquest, and settlement of the region named and of the events in it until the close of the seventeenth century. The book will be of about 600 pages.

The July-August number of the *Revista Bimestre Cubana* contains the concluding portion of the *Historia de Santiago de Cuba*, by José M. Callejas.

Noteworthy articles in periodicals: Charles Samaran, *Dominique de Gourgues* (Revue Historique, November-December); Henry B. Learned, *The Postmaster-General* (Yale Review, October); R. L. Schuyler, *Polk and the Oregon Compromise* (Political Science Quarterly, September); D. Y. Thomas, *Southern Non-Slaveholders in 1860* (Political Science Quarterly, June); *id.*, *The Free Negro in Florida before 1865* (South Atlantic Quarterly, October); Dunbar Rowland, *Private and Official Papers of Jefferson Davis* (Harper's Monthly Magazine, December); Thomas Nelson Page, *General Lee and the Confederate Government* (Scribner's Magazine, November); G. M. Wolfson, *Butler's Relations with Grant and the Army of the James in 1864* (South Atlantic Quarterly, October); Gamaliel Bradford, jr., *Lee after the War* (*ibid.*); *General Grant's Letters to General Beale*, with introductory note by Stephen Bonsal (Scribner's Magazine, October); James Ford Rhodes, *Cleveland's Administrations* (*ibid.*, October, November); Brig.-Gen. Frederick Funston, *The Capture of Emilio Aguinaldo* (*ibid.*, November).